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East Timor Human Rights Centre

Human Rights in East Timor: Indonesia Defies UN & the International Community

Bi-Annual Report of Human Rights Violations in East Timor January to June 1999

August 13, 1999 Ref: SR1/99

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By David Scott and Scott Goodroad

Acknowledgments:

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Thank you to Ross Bird for permission to use the front-cover photograph.

Warning: Readers are warned that the photos contained in this report depict scenes of graphic human rights violations and may shock some people.

Front-cover photograph: An East Timorese elder searches for relatives' names from the list of victims of the Liquica massacre, Melbourne, April 1999.

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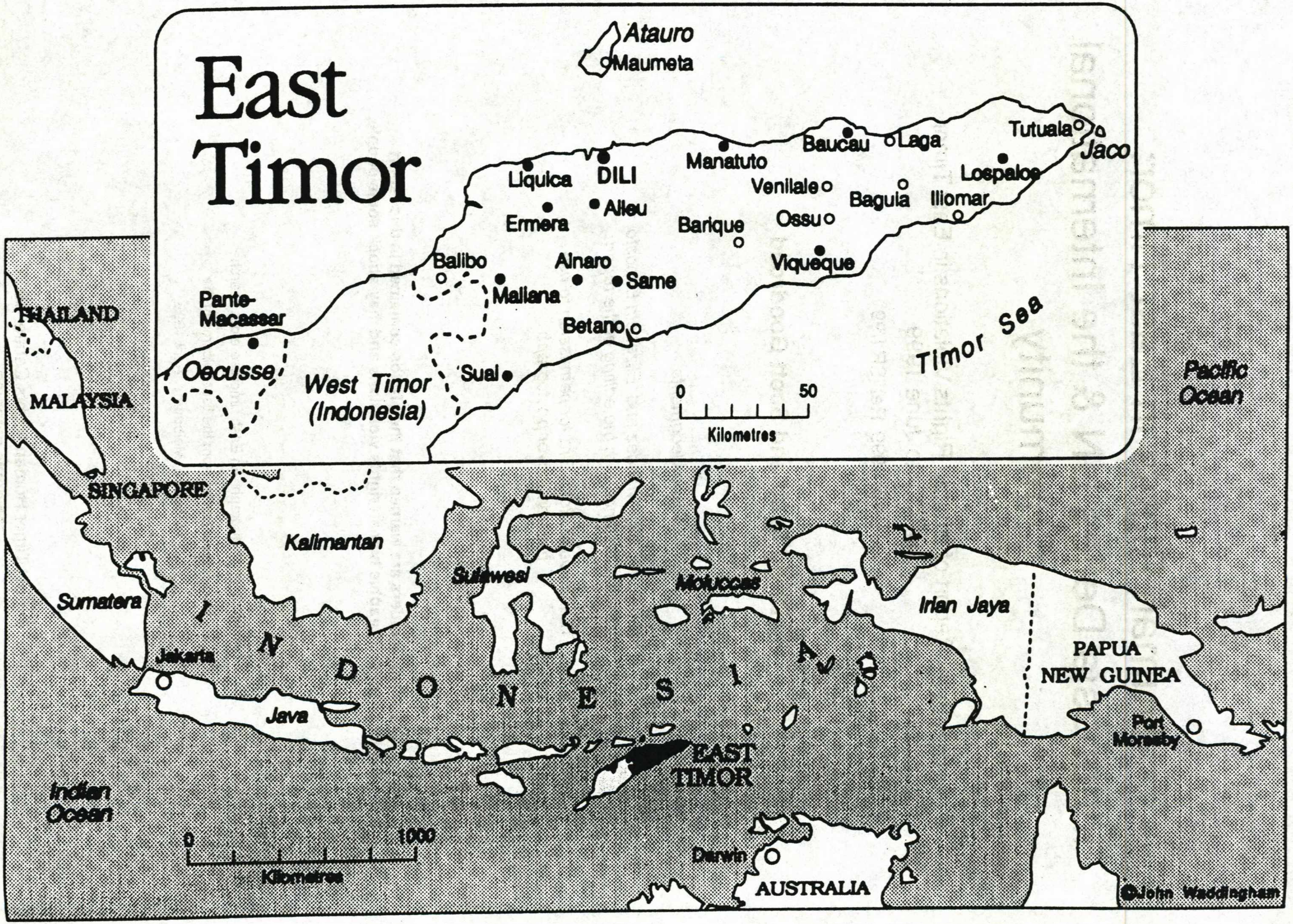
East Timor
Atauro
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Jaco
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Manatuto
DILI
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Lospalos
Venilale
Baguia
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Ermera
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Sumatera
I N D O N E S I A
Jakarta
Java
PAPUA NEW GUINEA
Port Moresby
EAST TIMOR
Indian Ocean
0
1000
Kilometres
Darwin
AUSTRALIA
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TABLE OF CONTENTS

Glossary of Terms ii

ETHRC Mission & Methodology 1

Executive Summary 2

A. INTRODUCTION 3
1. Security Crisis in East Timor 3
2. Alarming Increase in Human Rights in 1999 4
3. Uncovering Violators 6
4. Lack of Response to the Crisis 8
5. Crimes & Impunity 9

B. RECOMMENDATIONS 9
1. Recommendations to Government of Indonesia 9
2. Recommendations to the East Timorese Resistance (CNRT) 11
3. Recommendations to the International Community 11

C. HUMAN RIGHTS VIOLATIONS 12
1. Violations of the Right to Life 12
   1.1 Extrajudicial executions 13
   1.2 Attempted extrajudicial executions 23
2. Violations of the Right to Individual Liberty 25
   2.1 Arbitrary detention 25
   2.2 Enforced disappearances 33
3. Violations of the Right to Integrity and Security of Person 35
   3.1 Torture 36
   3.2 Rape and Sexual Abuse 40
   3.3 Systematic Destruction of Property & Persecution 42
4. Violations of the Right to Due Process 42
   4.1 Breaches of procedural guarantees 42
5. Violations of Freedoms of Expression and Association 43
6. Unreported Cases - 1998 43

Appendix A: Other Violations Reported to the ETHRC
Appendix B: Liquica Victims
Appendix C: Documented Destruction of Property

Glossary of Terms

ABRI	Armed Forces of the Republic of Indonesia (in April 1999 the Indonesian police separated from the Indonesian Army Forces (TNI))
Aitarak	Thorn, Pro-Jakarta militia
Besi Merah Putih	Iron, Red and White, Pro-Jakarta militia
Brimob	Police Mobile Brigade (a heavily armed special unit)
BTT	Territorial Battalion
Caritas East Timor	Development & Aid Agency of the Catholic Church
CNRT	National Council of Timorese Resistance
Falintil	East Timorese National Liberation Army
Fretilin	East Timorese Front for Independence
Gardapaksi	Movement for the Defence of Integration (local civilian militia)
Halilintar	Locally raised paramilitary unit
Hansip	Civil Defence Force (Indonesian national civilian militia)
Intel	Military intelligence, usually in context of internal security
Jati Merah Putih	Real Red and White, Pro-Jakarta militia
Kodim	Military District Command
Kopassus	Special Forces Command
Koramil	Military Subdistrict Command
Laksuar Merah Putih	Pro-Jakarta militia
Mahidin	"Life or Death with Integration", civilian militia group
PAM Swakarsa	Civilian Defence Force
Polda	Police Area Command (police regional headquarters for East Timor)
Polres	Police District Command
Polsek	Police Sector Command
Rajawali	Indonesian army combat battalion
RATIH	Indonesian national militia
Sakunar	Scorpion, Pro-Jakarta militia
SGI	Intelligence Task Force
Tim Pancasila	Pro-Jakarta militia
Tim Alfa	Paramilitary unit
TNI	*Tentara Nasional Indonesia*, Indonesia National Army (formed in April 1999)
UNAMET	United Nations Assistance Mission to East Timor
UNTIM	University of East Timor
Yayasan HAK	Human Rights Institute (local NGO providing legal representation)
Yonif	Infantry Battalion
59/75 Junior	Pro-integration militia

ETHRC MISSION & METHODOLOGY

The East Timor Human Rights Centre (ETHRC) is an independent, non-political, international human rights centre established in 1995 in Melbourne, Australia, to meet the urgent need for the protection and promotion of the human rights of the East Timorese people.

The ETHRC aims to:

- Protect and promote the human rights of the people of East Timor;
- Develop a human rights culture, including democratic processes and participation, amongst East Timorese people, both inside and outside East Timor; and
- Empower East Timorese people to promote and protect their human rights and incorporate human rights principles into their relationships and institutions at all levels.

Human rights are defined broadly to include the promotion and protection of civil, political, social, economic and cultural rights, as provided for in the Universal Declaration of Human Rights and other international covenants widely accepted.

The ETHRC fulfils its purposes through:

- collecting, collating and disseminating information about human rights abuses against East Timorese civilians in East Timorese;
- training and educating East Timorese people, both inside and outside East Timor; and
- conducting other activities including research, publishing reports and submissions to governments and the United Nations.

Documentation forms the main core of work at the ETHRC because of the serious human rights violations which continue to occur in East Timor. The ETHRC documents all cases of human rights violations committed against East Timorese civilians, irrespective of whether the perpetrators are members of the Indonesian security forces and its agents or members of Falintil (East Timorese National Liberation Army).

Through its solid and reliable network on the ground in East Timor, the ETHRC receives cases of human rights abuses almost on a daily basis. The information is cross-checked and corroborated with other sources before being produced into several types of reports: Urgent Action, United Nations Reports, Bi-Annual and Annual reports of human rights violations and general reports on particular violations.

ETHRC reports are given full international distribution, including to UN agencies, international NGOs, solidarity groups and individual activists, key media contacts, Foreign Ministries and the general public through the World Wide Web.

Through its documentation and lobbying activities, the ETHRC raises international awareness of the human rights violations committed against East Timorese civilians.

Ultimately international awareness is one of the most effective safeguards of human rights.

Ana Noronha
Executive Director

EXECUTIVE SUMMARY

The first half of 1999 has seen an alarming escalation of human rights violations in East Timor. Two major changes in the political climate in East Timor have been met with increased human rights violations against East Timorese civilians. The first major political event was President Habibie's January 27 commitment to allow the East Timorese people to vote on an autonomy package. The second event was the signing of the UN Accords on May 5 for the UN to conduct a popular consultation to determine the will of the East Timorese people. Despite the raised hopes of a peaceful solution to the East Timor conflict, there is a serious security crisis on the eve of the referendum.

During this period most of the human rights violations have been at the hands of pro-Indonesian militia groups which are supported by the Indonesian army. ETHRC sources have confirmed that the militias are not acting on their own volition and that the militia groups are being recruited and trained by the Indonesian army. This worrying trend of the recruitment of militias for the purposes of perpetrating violence and intimidation against civilians has been well documented by the ETHRC.

One of the most alarming atrocities documented by the ETHRC during the first six months of 1999 was the early April Liquica massacre where at least 46 civilians were extra-judicially executed and 56 people were seriously injured. This was the first time that killings on such a massive scale had taken place within a parish. On 5 May, after signing the UN Accords, Kofi Annan, UN Secretary General, warned Indonesia of its obligations to protect the people of East Timor and to effectively carry out its responsibility for law and order and the protection of all civilians.

Thus far, Indonesia has failed in its obligations to protect civilians. It has also failed to protect humanitarian relief workers and UN personnel from attacks by the militias backed by the Indonesian army. The lack of security in East Timor, at present, is seriously threatening the right of East Timorese to self determination. The ETHRC condemned the appointment of Eurico Guterres to command PAM Swakarsa (the security force overseeing the UN ballot). This move clearly implicates the Indonesian government in the on-going attempts to sabotage the referendum as Eurico Guterres is the commander of the Aitarak militia responsible for grave human rights abuses in East Timor.

The ETHRC is also concerned with the alarming trend of the increase in the number of Internally Displaced Persons (IDP's) living in life-threatening conditions. Militia violence and intimidation directed at civilian villagers has left tens of thousands of people homeless after their properties and livelihoods were destroyed. This pervasive climate of intimidation and human rights violations diminishes the opportunity for civilians in East Timor to exercise their right to register and vote which was guaranteed by Indonesia under the UN Accords.

While the work of the United Nations Assistance Mission to East Timor (UNAMET) has been positive in maintaining a semblance of peace in some places of East Timor, other diplomatic pronouncements by foreign governments have done little to make Indonesia comply with its international obligations. The Indonesian army and other perpetrators of human rights violations in East Timor are still acting with impunity. Indonesia has defied the UN and the international community.

A. INTRODUCTION

1. Security Crisis in East Timor

Human rights violations in East Timor have vastly increased in frequency and severity in the first half of 1999. Despite recent hope gained by the East Timor Human Rights Centre (ETHRC) in light of two major political events in 1999, the current security crisis in East Timor is clearly troubling. On 27 January 1999, President Habibie announced that the people of East Timor would be free to leave Indonesia if they rejected proposals for autonomy. Also, agreement was reached on 5 May for the United Nations (UN) to conduct a popular consultation to determine the decision of East Timorese on the Indonesian proposal of autonomy.[1]

These two events created a platform for peaceful debate and campaigning, by people and groups, in support of autonomy or independence. However, hopes for peace were diminished by the increase in armed and violent militia groups violating the human rights of the East Timorese soon after President Habibie's announcement. The purpose of the organised violence of the Indonesian military and the militias it supports has been to set East Timorese people against one another and undermine a free and fair consultation, which Indonesia promised under the UN Accords.

Violations have been increasingly carried out by militia bands purporting to be spontaneous and outside the control of the Army. At first, it was thought that militias might only be assisted by dissident local members of the armed forces but numerous reports confirmed they are organised, armed, trained and directed with the support of high ranking members of the Indonesia Army. The Indonesian Army's and government's financial interests in East Timor, and their unwillingness to admit their illegal occupation of East Timor has led to the high level support of the militias. The conflict is not between East Timorese but between the Indonesian Army and the East Timorese people whom it seeks to deny the opportunity to decide their future.

Persistent UN attempts to initiate a settlement of the East Timor dispute have succeeded with the New York Accords that require Indonesia to provide the requisite security for a "free and fair" ballot "devoid of violence or other forms of intimidation"[2] in hundreds of villages under Indonesian military occupation. The ETHRC welcomed the UN Accords as a step towards peace, but the heightened human rights violations in East Timor were of central concern to security. Recent militia attacks and Indonesian failure to keep the requisite security is in defiance of the recent UN Accords, the international community, and President Habibie's commitment.

The New York accords specified that a "neutral" security force would be the responsibility of the government of Indonesia. In response, several thousand police were sent to the territory. At the same time, most of the 17,000 army personnel also remained in the territory. However, violence continued in East Timor.

On 6 April, at least 46 civilians were killed and 56 wounded in the attack on a Liquica parish and Dato village by the Indonesian army and the militias they support. To date, no one has been prosecuted, showing the impunity commonly enjoyed by the military and militias. But, after the Liquica massacre, UN Secretary-General, Kofi Annan, warned Indonesia about its obligations to protect the people of East Timor in the lead-up to the vote on autonomy, and to effectively carry out its

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[1] Two of the major agreements generally referred to as the New York Accords include the *Agreement Between the Republic of Indonesia and the Portuguese Republic on the Question of East Timor*, 5 May 1999, and the *East Timor Popular Consultation Agreement Regarding Security*, 5 May 1999.

[2] Article 1, *East Timor Popular Consultation Agreement Regarding Security*, 5 May 1999.

"responsibility for law and order and the protection of all civilians."[3]

Indonesia has failed to carry out its responsibility. The lack of security has greatly restricted the work of journalists, local and international human rights organisations, UN staff, and medical and relief organisations. Large numbers of East Timorese now lack basic human rights such as food, medical attention, personal security and freedom.

On 6 July the Security Council attacked as 'inexcusable' the failure of Indonesian authorities to protect humanitarian relief and UN personnel from worsening anti-independence militia violence in East Timor. The President, Mr. Hasmy Agam, said the Council "demanded an immediate halt to the practice of violence and intimidation carried out by the militias."[4] Most Indonesian doctors have left East Timor and few foreign doctors have been allowed to enter. There is a shortage of medical supplies and those sent have been delayed at the wharf and airport. Many Indonesian teachers have left the territory, and this shortage adversely effects the schools.[5] Now, most journalists are confined to small areas within Dili due to the widespread attacks on civilians.

The lack of security is threatening the right of the East Timorese to self determination guaranteed under international law and the recent New York Accords. The continued intimidation and violence has led to several registration centres closing and the inability of the East Timorese to decide their future.

There are serious concerns of continuing violations of human rights committed by the Indonesian backed militias, the military and police. Although the militias are now the chief perpetrators they still enjoy the endorsement from the Indonesian authorities. This lack of security in the region and the free reign of the militias threaten the East Timorese in the lead up to the referendum planned for August.

2. Alarming Increase in Human Rights Violations for 1999

The first half of 1999 has seen a dramatic increase in the number of human rights violations in East Timor. For example, in the first half of 1999, the ETHRC documented 215 extrajudicial executions compared to 51 executions for the total of 1998. The use of militias for the systematic persecution of human rights defenders has also marked this period. As a result of the terror instigated by the militias backed by the Indonesia military, a new problem of Internally Displaced Persons (IDPs) has arisen. Despite the number of independent UN and humanitarian personnel in East Timor, little is known of violations outside the areas to which the media and independent agencies are restricted.

Indonesia has obligated itself to uphold basic human rights, however it continually fails. Indonesian obligations stem from three humanitarian legal sources, namely: 1) the Indonesian Criminal Code and Criminal Procedure Code; 2) human rights guaranteed under two treaty bodies that Indonesia has ratified, including the 1949 Geneva War Crimes Conventions and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and, 3) the signing of the United Nations Charter and UN membership which obligates Indonesia to uphold the Universal Declaration of Human Rights (UDHR), and the International Bill of Rights which flow from the UDHR. A brief overview of the violations shows the gravity of the human rights situation in the first half of 1999.

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[3] Secretary General Kofi Annan, UN Press Release SG/SM/6980, 6 May 1999.

[4] *Agence France Presse*, 6 July 1999.

[5] BBC, 12 July 1999

Violations of Civil and Political Rights: 1999

	1998	Jan. to June 1999
Violations of Right to Life		
Extrajudicial Execution	51	215
Attempted Extrajudicial Execution	8	149
Violations of Right to Individual Liberty		
Arbitrary Detention	256	201
Enforced Disappearances	21	67
Violations of Right to Integrity & Security of Person		
Torture (& Other Inhuman Treatment)	352	220
Rape	5	3
Attempted Rape	3	2
Sexual abuse	2	12
Property Destruction	-	112
Right to Due Process		
Breach of Procedural Guarantees	22	-
Violations of Political Rights		
Freedom of Expression and Association	1,567	-

The most alarming violation, after President Habibie's commitment in January, was the massacre carried out by the 'Red and White Iron' militia in the Liquica parish on 6 April. It took place in front of many witnesses while the Indonesian National Army (TNI) participated and other army officials and the police refused to intervene.

The ETHRC has reported at least 46 deaths in the Liquica massacre and has identified several military members as the perpetrators.[6] These figures are similar to Bishop Belo's, who believes that at least 35 people were killed. Indonesian authorities said an inquiry would be held but no action has taken place to date, in this or other atrocities.[7]

The ETHRC has documented rising patterns of extrajudicial executions, arbitrary detentions, torture and ill treatment, and disappearances. Amnesty International confirmed a distinct pattern of human rights violations, the victims of which are overwhelmingly supporters of independence for East Timor. According to Amnesty, the current level of violence by militias in East Timor was part of a well organised campaign to prevent Timorese from voting for independence.[8]

An Australian Council for Overseas Aid (ACFOA) delegation that visited East Timor from 5 to 12 June reported on "a pervasive climate of intimidation and human rights violations."[9] The delegation said that evidence indicated that a concerted effort was being orchestrated by government officials and the military to ensure a vote for autonomy which was in direct breach of the 5 May agreement.

The systematic persecution of human rights defenders is a clear pattern in East Timor. Soon after the Liquica parish massacre, for example, the home of Manuel Carrascalao in Dili was invaded by armed militia. Manuel Carrascalao is a leading figure in GRPRTT, Movement for Reconciliation and Unity of the People of East Timor, and the CNRT. His son, Manuel (Manuelito) Carrascalao, a member of Humanity Volunteers Team, *Tim Relawan Kemanusiaan,* was brutally killed by the militia in the attack, along with several others taking refuge.[10]

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[6] See Case 1.1.14.

[7] *The Age*, 14 April. See also *Back to the Beginning*, Report of Australian Council for Overseas Aid (ACFOA) Delegation to East Timor, 5-12 June 1999.

[8] Amnesty International, *East Timor: Seize the Moment*, 21 June 1999.

[9] ACFOA Report, op. cit.

More recently, the Besi Merah Putih militia attacked a convoy of humanitarian workers returning to Dili on 4 July after having delivered food and medicine to a refugee camp. Those in the convoy included members of UNAMET, UNHCR, Caritas, ETADEP and Timor Aid. The convoy had set out from Dili with 25 tons of rice and medicine for 4,000 refugees in Sare, a village in Ermera district. One humanitarian worker was shot, several others injured, and the UNAMET vehicle badly damaged.[11] This terror campaign was just one of three conducted against the UN and East Timorese humanitarian workers. On June 30, in Maliana, a group of militia attacked the UN causing several injuries to UN personnel and East Timorese civilians, and fifteen armed militia threatened UN staff in their residences in Viqueque on 31 June.

Due to the terror imposed and violations perpetrated by the militias and the Indonesian military, there are rising numbers of Internally Displaced Persons (IDPs). Fifty to eighty thousand internally displaced refugees are of special concern to the ETHRC because it threatens the integrity of the ballot, and deprives the IDPs of their lives and livelihoods by placing them in unlivable conditions.[12] They must take refuge in make-shift camps and parishes. Most of the IDPs are beyond the reach of humanitarian assistance and are being held as hostages because they reject integration. Caritas East Timor successfully accessed a camp in Maubara district during the visit of the ACFOA delegation. They found 500 families (about 3,000 people) whose fields had been destroyed and houses burned. The families had been forced to live in camps run by Besi Merah Putih militia, which lacked adequate food, sanitation and basic amenities. The children were malnourished, with lice, scabies, runny noses and coughs.

It is clear that Indonesian backed militia groups are responsible for the IDP problem because of their widespread terror and intimidation campaigns throughout East Timor. They also prevent aid workers from reaching the IDPs, and force them to move before aid workers can reach them.[13]

Due to the increased violence and intimidation, large numbers of people have been prevented from earning their living on farms and in other jobs. In many areas, especially in the west, militia violence and intimidation is preventing people from harvesting this year's coffee crop or tending other crops.[14]

Indonesia has obligated itself to uphold fundamental human rights. However, Indonesia has failed to live up to these obligations and its obligations to secure an environment free of intimidation and violence as required under the UN Accords. The massive increase in human rights violations and the systematic persecution of human rights defenders and independence supporters raises legitimate concerns that Indonesia will not abide by its own law in East Timor. The central reason for Indonesia being unable to create peace and security is that the Indonesian government and military are actually supporting the violence and intimidation of the East Timorese.

3. UNCOVERING VIOLATORS

The Indonesian government and army have repeatedly escape responsibility for human rights violations. These violations are against East Timorese civilians and are supported and performed by the Indonesian military and the militias they back. The international community must become aware of these activities and hold the government responsible. The ETHRC has found the following trends which clearly identifies the Indonesian role in the injustice: the escalation of Indonesian military backed militias, the continued violations by the Indonesia army and police forces, the forced recruitment of East Timorese into militias, and the appointment of militia members to PAM Swakarsa (the security force overlooking the UN administered ballot). In response to uncovering the massive human rights violations and those responsible, the international community and the East Timorese have been working to end the struggle even though impunity continues for the violators of human rights.

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[10] *See* Case 1.1.20 for details

[11] *The Australian*, 4 July 1999

[12] *Deutsche Presse Agentur*, 2 July 1999.

[13] *The Age*, 10 July 1999.

[14] ACFOA Report, op. cit.

In 1999, the Indonesian authorities did make a few attempts to prosecute violators of human rights in East Timor. For example, in the killing of Manulito Carrascalao six individuals were arrested, however, Eurico Guterres, the leader of the Aitarak militia and the person who was alleged to be directly involved in the killing, has enjoyed impunity. High levels of the military and the militias continue to escape criminal charges even when they are known to be the organisers of systematic violence.

The media has rigorously investigated the violations and sought to find the perpetrators. As a result, the international community has condemned the human rights violations in East Timor. It was reported that Australian intelligence assessments detailed the Indonesian military complicity in East Timorese killings in the weeks before the recent massacres at Liquica and Dili.[15] Moreover, Australian and US intelligence have been reported to clearly show that high ranking members of the Indonesian Army and government are involved, or complicit in, the violence against East Timorese.[16]

The increasing use of militias to violate human rights of the East Timorese reached alarming levels in 1999. Militias are commonly supported by the Indonesian army which provides high level political complicity, transport, accommodation and logistics.[17] Most of the militia members have been forced to join the groups. Civilians have been threatened with death if they do not join the local militia, while others have been given financial inducements.[18] ETHRC sources also confirm that many militia members have been recruited from West Timor and other parts of Indonesia.

The appointment of Guterres as head of the new civilian defence force, PAM Swakarsa, and the enlistment of other militia members, clearly violates the East Timor Popular Consultation Agreement Regarding Security which requires "absolute neutrality" of the Indonesian Army and police. The ETHRC condemned the Indonesian government for recruiting Eurico Guterres and other members from the Indonesian military-backed pro-integration militias into PAM Swakarsa to ensure security for the August ballot.[19] Eurico Guterres has directed militia members to kill supporters of independence. The High Commissioner for Human Rights, Mary Robinson, also deplored the appointment of the militia leaders, especially Eurico Guterres, because of the speeches he made in which he termed supporters of independence as 'anti-national' and 'traitors'.[20]

An example of the involvement of the military with the militias can clearly be seen in the recent attacks on the UN in Maliana. The UN Report on the 29 June attack names four senior

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[15] *The Australian* 23 April 1999

[16] *Financial Review*, 8 July 1999; *The Australian*, 29 May 1999; *Sydney Morning Herald*, 8 July 1999.

[17] *The Australian,* 4 May 1999.

[18] *Ibid.*

[19] East Timor Human Rights Centre (ETHRC) Media Release, 11 June 1999.

[20] BBC, 10 July 1999.

Indonesian Sergeants, and the army chief of intelligence, Lieutenant Satrisno, who control the militias around Maliana. Lieutenant Satrisno denied involvement when accused but replied by saying, "If I was involved everyone would have been killed."[21]

4. Lack of Response to the Crisis

The response to the dramatic increase in human rights violations has largely been that of diplomacy and limited action. The United Nations and foreign governments have all condemned Indonesia but have not imposed forceful sanctions.

The United Nations Assistance Mission to East Timor (UNAMET) has acted impartially in organising the consultation. It has protested against militia violations and the intimidation of its own staff and of East Timorese people. The Security Council has also insisted that Jakarta honour its undertaking. Although Indonesia is failing to establish conditions for a free election, the Security Council has not proposed to send a peacekeeping force to ensure its mandate is carried out.

Foreign governments have made strong diplomatic representation to Jakarta. The Australian Foreign Affairs Minister, Alexander Downer, and other diplomatic missions have strongly protested. The US State Department has recently stated that "pro-Jakarta militias which have operated with the acquiescence and support of elements of the Indonesian military are responsible for much of the recent violence and killings in East Timor."[22]

Diplomatic protests have not been backed by concrete actions. The Australian army still maintains close military relations with the Indonesian army, and there has been no suggestion that the military assistance from the many countries that Indonesia relies on, should be conditional on ending human rights violations.

Mr. Downer and the Australian opposition spokesperson for Foreign Affairs, Laurie Brereton have condemned the violence and called on the government of Indonesia to honour its commitment.[23] Mr. Downer said the UN and the international community would not "be bullied by a bunch of hoodlums and thugs from militias throwing rocks and using home made weapons."[24]

East Timorese leaders have recognised the importance of keeping security in East Timor. Xanana Gusmao, CNRT President who is currently serving a 20 year sentence under house arrest, recognised that the security situation in East Timor is really at the behest of Indonesia. He stated that the referendum outcome "will depend on the Indonesian government's compliance with the terms of the agreement relating to its responsibility for creating a climate of peace and tranquillity for the population."[25]

A response to the heightened campaign of intimidation also came from the Catholic Church in East Timor led by Bishop Carlos Belo and Bishop Basilio Nascimento. On 27 April, Bishop Belo inaugurated the Commission of Peace and Stability in an attempt to end the violence. More than sixteen representatives from pro-Indonesian and independence groups, the local administration, police and military joined officials from the National Commission on Human Rights and the Catholic Church.

Also, at the second Dare Conference in Jakarta, the participants, including Nobel Peace Co-Laureate Jose Ramos-Horta, agreed in-principle to the June 18 agreement on the disarmament of militias and Falintil, and to respect the outcome of the UN administered popular consultation in August.

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[21] Mark Dodd, *Military Blamed for Attack on UN Timor Post*, *The Age*, 27 July 1999.

[22] Transcript: State Department Noon Briefing, 29 June 1999.

[23] *Sydney Morning Herald*, 6 July 1999.

[24] *Agence France Presse*, 5 July 1999.

[25] *Dancing and Warnings Follow East Timor Agreement*, Agence France Presse, 6 May 1999.

Despite all the diplomatic attempts to end the human rights abuses in East Timor, heightened human rights violations, with continued impunity, is the clear trend. Perpetrators include the Indonesian police and military, and the militia which they have supported and organised. Although diplomatic attempts are made to remedy the continuing abuse, the Indonesian government must live up to its obligations and end the complicity and the continued impunity enjoyed by the military and the militias.

5. Crimes & Impunity

The Indonesian military leaders, high government officials and militia leaders have enjoyed continued impunity for directing and supporting grave human rights abuses for nearly a quarter of a century, including the six months covered in this report. However, Indonesia is bound by international law, the recent UN Accords, and its national legislation to halt human rights abuses and support law and order in East Timor.

Under the New York Accords Indonesia is required to provide "a secure environment devoid of violence or other forms of intimidation" for a free and fair ballot. However, the Accord has clearly been breached evidenced by violations detailed in this report and also by the appointment of militia members as the authority to ensure security for the ballot in the region.

The Indonesian bias and intimidation can also be seen at high levels of the government. The Chief of the Education and Culture Department of the Bobonaro District Branch Office signed and sent civil servants in Maliana a form requiring them to indicate and sign their choice for autonomy or integration. Also, the Governor of East Timor, has signed documents on 21 May and 7 June, which approved the expenditure of 3 billion rupiahs by the head of each region for the support of autonomy campaigns, and Socialise promotion (pro-autonomy propaganda).

The continued trend of impunity must end. The Security Council and its powerful members have done little beyond making diplomatic protests to Indonesia for its failure to implement the Accord and protect basic human rights. The Security Council is empowered to create a war crimes tribunal, such as those in Rwanda and the former Yugoslavia. The possibility of creating a tribunal must be explored if the Indonesian government continues to turn its head to the numerous violations in East Timor.

Clear violations of human rights and pro-autonomy government bias in the lead up to the referendum are of great concern for the future of security in East Timor. Because Indonesia is unwilling to investigate, prosecute or deter violators of human rights and the UN Accords, the international community must continue to pressure all levels of the Indonesian government, the UN, and members of the Security Council to put an end to the twenty-four year conflict.

B. RECOMMENDATIONS

The escalating violence in the lead up to the August referendum is impeding the chances of the East Timorese people to exercise their right to self-determination. The ETHRC believes a peaceful solution to the conflict in East Timor can not be achieved without respect for human rights. The ETHRC, therefore makes the following recommendations to the Indonesian government, the East Timorese resistance and the international community aimed at ending the trend of escalating violations in East Timor.

1. Recommendations to the Government of Indonesia

The ETHRC urges the government of Indonesia to take the following steps in order to demonstrate its commitment to reducing violations and bringing about peace in East Timor:

1. Disband and disarm all militia groups operating in East Timor. Ensure this is accomplished under UN supervision.

2. Immediately cease all offensive military operations in East Timor and withdraw all troops so as to put an end to the human rights violations which have continued to be perpetrated by the Indonesian military and by military backed militias.

3. Immediately and unconditionally release Xanana Gusmao from "house arrest" and immediately and unconditionally release all East Timorese prisoners of conscience, detained or convicted solely for the non-violent expression of their views, and any other East Timorese prisoners, detained or convicted for political reasons.

4. Ensure compliance with its obligations under the UN Accord so that the UN-supervised August referendum is conducted in an environment of peace and security, allowing the East Timorese people to exercise their right to self-determination.

5. Ensure that the large numbers of Internally Displaced Persons (IDP's) are afforded every opportunity to vote in the upcoming August referendum.

6. Cooperate fully with UNAMET and ensure freedom of movement and security for UN police and staff.

7. Allow for an increased UN presence, and invite the UN to deploy a peace-keeping force in East Timor.

8. Investigate and prosecute all perpetrators of the recent human rights violations documented in this report, including the investigation and prosecution of Eurico Guterres and members of Aitarak.

9. Allow regular and unhindered access to East Timor for international human rights organisations, including the ETHRC, for the purpose of human rights monitoring. Allow local human rights organisations to undertake their work unhindered and without harassment.

Addressing human rights violations in East Timor

10. Ensure compliance with the *1949 Geneva War Crimes Conventions*, which the Indonesian government ratified on 30 September 1958. Also comply with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment which Indonesia ratified on 27 October 1998.

11. As a member of the UN, and a UN Charter signatory, ensure compliance with the *Universal Declaration of Human Rights* and thus allow the East Timorese people freedom of expression and association; ensure everyone has the right to life, liberty and security of person; ensure no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment; ensure that all are equal before the law and are entitled without discrimination to equal protection of the law; ensure no one shall be subjected to arbitrary arrest, detention or exile.

12. Stop the practice of using military forces and militias to arrest and interrogate suspects, as these are functions of the police under Article 18 of Indonesia's Criminal Procedure Code (KUHAP).

Co-operation with the United Nations

13. Cooperate fully with the UN Commission on Human Rights (UNCHR) and its thematic rapporteurs and working groups. Take steps to implement all outstanding recommendations made by the UNCHR and its mechanisms, including:
    - Inviting the Special Rapporteur on Torture to visit East Timor (UNCHR resolution, 1997)
    - Inviting the Working Group on Enforced or Involuntary Disappearances to visit East Timor (Recommendations of UN Special Rapporteur on Extrajudicial, Summary and Arbitrary Executions, 1994)

- Inviting the UN Special Rapporteur on Extrajudicial, Summary and Arbitrary Executions to conduct an investigation into the April killings in Liquica and Dili as well as cases of other extrajudicial executions detailed in this report.

2. Recommendations to the East Timorese Resistance (CNRT)

The ETHRC calls on the East Timorese Resistance to:

1. Ensure independence supporters do not attack or intimidate supporters of integration with Indonesia.

2. Under UN supervision, ensure the complete disarmament of Falintil.

3. Publicly state its commitment to the norms established under international humanitarian law and ensure the East Timorese Resistance, including its National Liberation Army, Falintil, abides by that commitment.

3. Recommendations to the International Community

The ETHRC urges the international community to:

1. Call on the Indonesian government to stop the escalating human rights violations in East Timor, especially at the hands of the military backed militia groups.

2. Call on Indonesia to comply with the UN accord and for Indonesia to provide the appropriate security to guarantee a free and fair vote on the August referendum.

3. Call on the Indonesian government to allow a stronger UN presence in East Timor and call for the Indonesian government to invite UN human rights monitors and to invite the UN to deploy a peace-keeping force in East Timor.

4. Call on the Indonesian Government to investigate and prosecute all perpetrators of the recent human rights violations documented in this report, including the investigation and prosecution of Eurico Guterres and members of Aitarak.

5. Support calls for the government of Indonesia to take the following steps:
    - Release all East Timorese prisoners detained solely for their political activities, including Xanana Gusmao, who remains in house arrest.
    - Ensure the safety of the East Timorese people in exercising their right to self-determination in the autonomy ballot.
    - Withdraw all Indonesian troops from East Timor, under UN supervision.
    - Disband and disarm all military backed militia groups operating in East Timor, also under UN supervision.
    - Allow regular and unhindered access to East Timor for international human rights organisations, including the ETHRC, for the purpose of human rights monitoring. Allow local human rights organisations to operate unhindered and without harassment.

6. Provide humanitarian aid, material and diplomatic support for the efforts of UNAMET and local human rights NGOs to protect and promote human rights on the ground in East Timor.

7. Pressure governments to ensure no military or police equipment, personnel, or training is given to Indonesia.

8. Promote and support initiatives to establish a reconciliation process in East Timor, such as a Truth and Reconciliation Commission to assist the East Timorese people to heal the trauma of 24 years of human rights violations under Indonesian occupation and create a future based on respect for human rights.

9. Promote and support efforts to strengthen East Timorese civil society, build effective institutions and promote democracy and good governance.

C. HUMAN RIGHTS VIOLATIONS

Between January and June 1999, East Timorese civilians have been the subjects of increased human rights violations by the government of Indonesia. The Indonesian military, and militias backed by the Indonesian military, are responsible for the overwhelming majority of human rights violations reported in this period. Under broadly worded Indonesian law, military commanders are given the discretion to establish militias.[26] Due to these facts, the ETHRC considers acts committed by Indonesian sponsored militias a direct act of the Indonesian government against East Timorese civilians.

This report only covers violations that occurred from January to June 1999. However, it is not a comprehensive report of all the violations in this period, because the security situation in East Timor prevents human rights NGOs and other concerned East Timorese from investigating the violations. Therefore, only a fraction of violations are reported. The reported violations for the period are categorised into the following categories: extrajudicial executions, attempted extrajudicial executions, arbitrary detention, enforced disappearances, torture, rape and sexual abuse, intimidation and persecution, and violations of right to due process.

The violations embodied in this report are based on obligations stemming from the following three distinct humanitarian obligations that Indonesia has agreed to: 1) Domestic Indonesian law, 2) treaties signed and ratified, and 3) fundamental legal obligations that Indonesia has as a UN member. The Indonesian government is bound under Indonesian law to prevent violations of human rights and punish violators according to *Kitab Undang Undang Hukum Pidana* (KUHP), and *Kitab Undang Undang Hukum Acara Pidana* (KUHAP). Indonesia, as a state member of the United Nations, has also signed, ratified, and is bound to enforce the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Additionally, as a state member of the United Nations, Indonesia is obligated to uphold the principles embodied in the *Universal Declaration of Human Rights* (UDHR) and the main covenants flowing from the UDHR, including the *International Covenant on Civil and Political Rights*, and the *International Covenant on Economic, Social and Cultural Rights*. In the period covered Indonesia has failed to uphold its humanitarian legal obligations on all three fronts.

1. Violations of Right to Life

Compared to 1998 the number of executions and attempted executions has dramatically increased.[27] The ETHRC has received reports of 364 violations of the right to life and security of person against the East Timorese. A continuing theme of impunity follows the executions and attempted executions. The majority of the violations are perpetrated by the Indonesian government and militias backed by the Indonesian military. The Indonesian government does not investigate, arrest or punish the perpetrators of the violations. The ETHRC is very concerned with the justice system in Indonesia as exemplified by the unwillingness of Indonesia to investigate one case of mass executions in Liquica which resulted in at least 46 deaths, and 56 serious injuries. Given this impunity, the ETHRC urges the United Nations to carry out a full investigation, including the establishment of an East Timor War Crimes Tribunal.

Extrajudicial executions are a violation of the right to life as set forth in Article 3 of the United Nation's Universal Declaration of Human Rights, which the UN General Assembly adopted in 1948. It was further set

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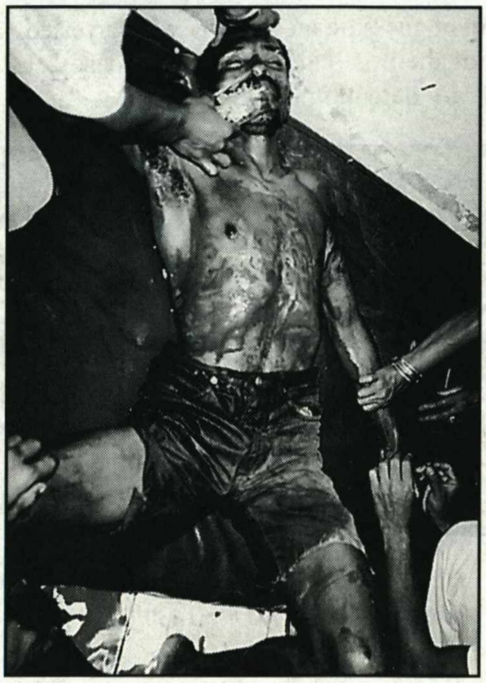
[26] Law No. 20 of 1982, Security and Defence of the Country, Articles 8(b) & 18(b)-(d).

[27] In 1999 there are a total of 215 executions. There were a total of 51 extrajudicial executions, and 8 attempted extrajudicial executions for the entire 1998. See *Escalating Violations in East Timor: Is a Peaceful Solution Possible? Annual Report of Human Rights Violations in East Timor 1998*, ETHRC Ref. SR2/98.



Case 1.1.1 - Julio (no surname), covered in his own blood, receiving rudimentary care before his death.

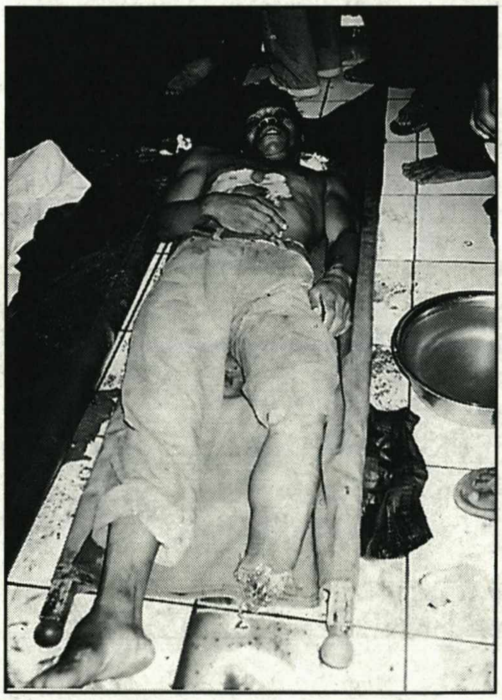
forth by the General Assembly in 1966 when it ratified the International Covenant on Civil and Political Rights, which succinctly states in Article 6: "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life." Extrajudicial executions and attempted extrajudicial executions are also in violation of articles 53 and 338 of the Indonesian Penal Code (KUHP). There were 215 reported incidents of extrajudicial execution, and 149 reports of attempted extrajudicial execution.

1.1 Extrajudicial Executions

Case 1.1.1

On 3 January 1999, at about 10:00 am, Mahidin, Mati Hidup Dengan Integrasi, "Death or Life with Integration" militia were implicated in the shooting of several individuals in Manutasi village, Ainaro district.

Initially, Mahidin shot at several East Timorese youths, **Asiri Dutel Ferreira, Joao Martins** and **Jaime (no surname)**, in Manutasi village after the youths travelled to a Mahidin post in Manutasi village on motor bike in attempts to reconcile past differences during the new year with Mahidin who are repeatedly alleged to impose violence on the people of Ainaro. When the youths were attacked in Manutasi village they fled and went back to Ainaro. Meanwhile, a large group of youths went to the Mahidin post to plead for reconciliation, shortly thereafter Mahidin members attacked the groups of youths killing the following individuals: **Renaldo Orleans**, 23, from Soro village (shot in chest and foot), **Julio (no surname),** 24, from Maulo village. Renaldo Orleans, after being shot, was subject to mutilation. He was also stabbed repeatedly, his left foot and left ear were cut off and part of his foot was thrown away. Many others were also seriously injured in the incident (see case 3.1.18, Appendix A). There are also unconfirmed reports that **Julieta da Costa** died from a gunshot injury after giving birth to her child, and **Maurico** (no surname) died from similar attacks on January 3 by Mahidin.



Case 1.1.1 - Renaldo Orleans before dying, suffered from gunshots, stab wounds, his left ear was cut off, and his left foot was cut off and thrown away.

Case 1.1.2

In January, three youths were killed while in the custody of BTT 143 Post and Grasiano (no surname), a Mahidin member. The following youths were executed: **Jose Sarmento**, 25, a married farmer from Guguleur village, Vatu

Mori hamlet, **Manuel Sarmento**, 20, farmer from Guguleur village, **Agapito (no surname)**, 25, married farmer from Guguleur village. The three victims and two others were arrested by Grasiano and others in Loes. The two unidentified others escaped while the three deceased were brought to BTT 143 Post. The bodies were subsequently found in the Loes River, and buried by family.

Case 1.1.3

On 24 January, in Zumalai sub-district, Mape village, Webaba hamlet, **Fernando Cardoso**, 27, male, farmer from Hudai hamlet, Carabau village, Bobonaro subdistrict, Bobonaro district, is believed to have been shot in the head and killed by members of Mahidin, RATI (a para-military group believed to have been trained and armed by the Indonesian military) and Indonesian military personnel from the marine post at Cassa in Ainaro or Mahidin members.[28] Sources have alleged that Fernando's body was severely mutilated and his limbs removed and that he was buried beside the road with his head still exposed. He was shot while travelling with two friends on mopeds. While travelling a group of people in full combat gear driving a Kijang pick-up overtook the moped and shot at the youths. Fernando Cardoso died instantly and the group threw him on the side of the road and covered him with stones. Subsequently his friends were arrested and are still missing, and the incident investigation team was arrested, and one of them is still missing (see case 2.1.7 on arbitrary detention)

Case 1.1.4 - Angelica de Jesus, 27, housewife from Nagidan village

Case 1.1.4 – Olandino de Jesus, 55, farmer, from Galitas found dead with his head badly mutilated

Case 1.1.4

At 10.00 p.m. on 25 January 1999, members of KORAMIL Cassa, the Marines, and Mahidin members launched an assault on the village of Galitas, Zumalai sub-district, shooting at the local population. It is confirmed that **Olandino de Jesus**, 55, from Nagidan village; **Angelica de Jesus**, 27, housewife, from Nagidan village; and **Luis Pereira**, 15, student at SLTP Zumulai, were shot dead during the assault.[29] Angelica de Jesus was pregnant at the time she was killed, and according to unconfirmed reports her stomach was cut open and foetus removed after her death. All the victims were shot then mutilated. Many others were injured (see case 1.2.1), and had to flee their homes, holding grave fears for their personal safety. At least two hundred people have fled from the village of Galitas and have sought refuge in churches in Suai District as a result of the assault.

Case 1.1.5

Lucino Ribeiro, 29, from Comoro village, West Dili, was killed on or around 25 January 1999. His body was found in an old transmigration area in Loes after he had gone missing for three days prior. According to ETHRC sources, his body was found missing his intestines, his tongue cut out and the bottom of his legs cut off and missing from the body. When the family attempted to take the body from its location in the transmigration area, members of the Naga Merah and Halilintar prevented them from moving the body.

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[28] ETHRC UA 199

[29] ETHRC UA 199

Case 1.1.6

Valenti (no surname), 35, farmer from Maubaralisa village, Liquica was killed by Mahidin. Sources indicate that the leader of Mahidin, Jose Dasi, was the perpetrator of the killing. Valenti was detained near the Babonu stream between Maubaralisa and Vaviquinia villages. He was thereafter killed with a rice pestle.

Case 1.1.7

Benedito de Jesus Pires, 25, vegetable vendor from Bairo Pite, Dili, was killed by a gunshot on 14 February 1999 at roughly 4:15 p.m. by a bullet identified as a NK-1978 found in his head. He was apparently shot in the head by a Mobile Police Brigade official (BRIMOB) with a sniper rifle. Two BRIMOB officials were located behind a fence, next to the salon near BRIMOB dormitory A, West Dili when they fired shots in the direction of the crowd and Benedito de Jesus Pires.

In the events leading up to the death, the Mahidin militia group led by Cancio de Carvalho began to terrorise the Bairro-Pite area of Dili by shooting randomly while riding around in a red Toyota Kijang. People in the neighbourhood became angry and chased them into the BRIMOB dormitory, where the Mahidin members sought refuge. BRIMOB officials blocked the entrance to the dormitory, and shortly thereafter, the gunshots were fired from the dormitory, one of which killed Benedito de Jesus Pires immediately.

Estimates of 20,000 to 50,000 people were reported as attending the rally accompanying Pires's burial at Santa Cruz in Dili, and no incidents of violence were reported. Protesters marched through the streets leading to the Santa Cruz cemetery singing hymns and chanting East Timorese independence slogans.

Case 1.1. 7 - Mourners with Bendito de Jesus Pires after his death

Case 1.1.8

On 24 February 1999 at about 4:00 p.m. local time at least seven soldiers began firing into a crowd and up in the air in the Becora district of Dili. Reports indicate that the perpetrators were from Battalion 744, and KOREM 164 Wiradarma, and Mahidin, Domingos Berek, and other Intel officers may have been responsible for the shootings. The incident occurred during a funeral near a local Becora army barracks. After the soldiers shot out local residences came out of their homes upset. The following civilians died as a result of the gunshot wounds: **Francisco da Conceicao Hornai**, 20, Class II SMU 4 Dili, from Bedois, died at the scene from three chest gunshot wounds, and **Joaquim de Jesus**, 21, East Timor University student, from Bairro Central village, East Dili sub-district, shot in the head, died at the Motael Clinic. Several other unidentified civilians were alleged to have also been injured in the confrontation. There are unconfirmed reports that two Portuguese journalists, **Jose Maria** and **Jose Alberto** of the news station SIC, were beaten during the incident, detained and subsequently released. This incident was carried out even though Tamrat Samuel, a member of the UN Secretary-General's staff, was visiting Dili from New York at that time.

Case 1.1.9

On 6 March 1999, eight civilians ran away from Lisa Dila Refugee Camp, which was rigorously controlled by the BMP militia. Of these eight men, one was later shot dead while the other seven escaped. The victim was found under brush on 9 March 1999 with his feet separated from his corpse. His name is **Domingos Carrion**, 25, from Lisa Dila village, married to Emilia Soares with one child.

Case 1.1.10

Joao Teixeira, 22 years old, from Fatuhada village, Dili was killed on 16 March 1999 by military intelligence members. He was out with friends to play a "Bola Guling," a local ball game in Taibesi. After finishing the game at 1:00 am they went to Farol beach, and suddenly four people came up to them on the beach. Joao's friend Luis Ricardo Pereira escaped when the four Intel members began harassing the youths and pointing their handguns at them. One of the perpetrators was Cristovao (no surname), KOREM intelligence member from Dili. The dead body was found several days later.

Case 1.1.11

On 19 March, at 6:30 p.m., about 20 armed masked men, some dressed in Indonesian military uniforms, arrived in a Kijang in the Maliubu hamlet, Ritabou village, Maliana District and began to open fire on civilians at Olivio Barros's home, then began to open fire on the home of Alberto Araujo nearby. The attack lasted about 30 minutes in which several individuals were killed, 17 houses were looted and 2 houses were severely damaged. 1 million rupiah was stolen from Olivio Barros's home. ETHRC sources indicate that the Maliana based Halilintar, led by Joao Tavares, and the Indonesian military were responsible. The following civilians were killed: **Fonseca (Assamali) Gomes,** 12, **Pedro dos Santos**, 27, farmer from Maliubu, **Domingos (Monoloi) dos Santos**, 18, **Joao Ruben Barros**, 11. (see case 1.2.10, Appendix A, for those seriously injured in the attack).

Case 1.1.12

On 26 March ABRI shot at civilians in Gariuai, Baucau District killing the following three civilians: **Estefania Freitas**, 45, from Bahamori village, Gariuai, **Ildefonso Faria Pereira**, 28, from Wailili, Venilale, and **Nazare Freitas**, 25, from Bahamori village. Estefania was shot while working in the fields and Nazare Freitas was reported to have been stabbed to death in front of KORAMIL headquarters. The military unit Red-Beret BTT 406, under command of Sgt. Irwin was reported to be responsible for the incidents.

Case 1.1.13 - Francisco Xavier, 25, from Vatuvou village, Maubara sub-district. He suffered severe abdominal and intestinal damage from stabbing wounds from a long sword and subsequently died.

Case 1.1.13

On 4 April at 7.00am civilians were attacked by the militia group, Besi Merah Putih supported by the military, in the Hamlet of Fatubelete, the village of Vatuvou, sub-district of Maurara and Mauboke border between Maubara and Liquica. This attack left eight people with severe injuries and unconfirmed reports of deaths, see case 3.1.12. In the attack **Francisco Xavier**, 25, from Vatuvou village, Maubara sub-district sustained abdominal and intestinal damage from stabbing wounds from a long sword and subsequently died (see depiction above). Several other civilians were mutilated in the attack, see case 3.1.12.

Case 1.1.14

On 5 and 6 April 1999 one of the worst human rights violations of 1999 occurred in Dato village and the Liquica Parish in particular.

Up to 46 civilians died and 56 were seriously injured in the attacks. The Liquica Appendix B lists all the victims, however, all the perpetrators of the violent crimes are listed in the text of this case.

The ETHRC has documented 29 confirmed and 7 unconfirmed extrajudicial executions in Liquica Church. The only body to have been claimed by family members has been that of Gil Tiago. Victor's brother, in a brave act, retrieved the body from the military truck that was used to take away the remaining deceased who have not been recovered. The ETHRC has documented 32 confirmed and 9 unconfirmed attempted extrajudicial executions in Liquica Church. Also in Dato village, outside the church the ETHRC documented 10 individuals killed in events on 5 April and 6 April 1999 leading up to the Liquica Church Massacre. In the Dato village events there were also 15 injuries from attempted extrajudicial executions. There were also at least 25 houses that were destroyed in Dato village during the attacks (see Property Destruction Appendix C, case 3.3.29). There were also 5 disappearances as a result of the attacks.

ETHRC sources have confirmed that on the day of the Liquica massacre members of KORAMIL (Sub-District Military Command), under the leadership of Dandim 1638 Liquica (Asep Kuswanto), lined both the left and right sides of the street leading into Liquica. It is claimed that KODIM and POLRES members shot at people in the streets. Fearing for their lives, they ran away seeking refuge in the church. The shooting off of guns lasted for an hour during which time the paramilitary group (Besi Merah Putih) entered the city, shouting as they came. The Police Mobile Brigade (BRIMOB) members of Unit B surrounded the church with the Besi Merah Putih and Indonesia Army members and proceeded to kill the civilians inside and outside.

ETHRC witnesses have identified the following perpetrators of the massacre: Abilio Martins, Pangkat Kopral Satu, KORAMIL Maubaru; Domingos Askopas, Pangkat Prajurit Dua, KORAMIL Maubaru; Tobias dos Santos, from Maumeta village, Liquica KODIM; Antonio Lopes, Pangkat Kopral Satu, TNI-AD; Jacinto Pereira, KODIM Liquica 1638; Alberto (no surname), KODIM Liquica; Teofilio (no surname), KODIM Liquica; Tome Maria Goncalves, Sersan Satu; Raimundo Cesario, Sersan Satu; Domingos Mendes; Venancio (no surname), Liquica KODIM 1638; Inocencio Dias, Liquica KODIM 1638; Boaventura dos Santos, Liquica KODIM 1638; Tome Diogo, Liquica KODIM 1638; Manuel Marques, KODIM civil servant; Agusto Freitas Martins, BMP; Victor Ediri, BMP; Afonso de Jesus, from Lauhata, BMP Bazartete; Zacarias Correia, from Lauhata, BMP Bazartete

After the parish massacre the local authorities quickly cleaned up the area.

Case 1.1.15

On 10 April 1999, at 10:30 am **Antonio de Lima,** member of the District Legislature, was killed by gunshot on his way to his office in Gleno village, Ermera District in his Toyota truck. When he passed by the Ermera State Prosecutor Office he was stopped by Indonesian soldiers who then sprayed him with gunfire, and dragged his body into the road after stealing his vehicle. In this event there are also reports of 13 other civilians being killed by the military and their bodies taken by them. One of the other confirmed dead was **Julio (no surname)**. The perpetrators include members of BTT 143, SGI, Militia Derah Merah, Darah Integrasi and Ermera KODIM.

Case 1.1.16

On 13 April 1999, 6:00 p.m., Bobonaro Military District Commander Lieutenant Colonel Burhanudin Siagian and Joao Tavares commanded the execution of the following civilians: **Antonio Soares**, 38, Cailaco State Primary School Teacher, from Purgoa Hamlet, Meligo Village, Cailaco Subdistrict, Bobonaro District, **Joao Evangelita Vidal**, 35, State Primary School Dahudu Village Teacher, from Purgoa Hamlet, **Jose Paulelo**, 36, Village Head of Dahudu Village, from Dahudu Village, Cailaco Subdistrict, **Manuel Maulelo**, 38, State Primary School Maumela teacher, from Maumela Village, Cailaco Subdistrict,

Paulino Batumali, 29, farmer, from Marco Hamlet, Meligo Village, Cailaco Subdistrict, Bobonaro District, **Joao Matus**, 32, farmer, from Purgoa Hamlet.

All the victims were abducted on 12 April 1999, 6:00 a.m. at their homes. The Bobonaro Military District Command and Halilintar members were responsible for the abduction. The victims were first taken to Cailaco Military Subdistrict Headquarters, they were then interrogated and tortured. The victims were then taken to Manuel Gama's home and executed in front of the mourners visiting the body of Manuel Gama.

The families have not received the bodies. The victims were transported in a vehicle owned by the District Military Commander Siagian, in the direction of the Marobo River, 10 kilometres east of Cailaco. After the execution, Lt. Colonel Burhanudin Siagian told civilians and local government officials that anyone resisting the armed forces or the Indonesian government would meet a similar fate.

Case 1.1.17

Placido Soares, 29, farmer, and **Jose Gaspar**, 24, farmer were killed on 14 April 1999, at 1:00 p.m. in Puetete Hamlet, Goulolo village, Cailaco sub-district. The Halilintar Militia, the Cailaco military sub-district command, and the Besi Merah Putih militia were responsible for the killings. The two men were hiding in the forest with other villagers who fled to escape the combined forces operation in the village. The two victims were taken out of the forest, then Placido Soares was stabbed to death by Halilintar militia and Jose Gaspar was shot while trying to escape. Subsequently, under death threats, some Cailaco residents were forced to become part of the Halilintar militia.

Case 1.1.18

On 14 April, at 7:30 am, 3 civilians were killed in Gleno, Ermera District by Indonesian security forces because they were supporters of independence. The victims were shot in front of the regional Hansip headquarters of Ermera in Gleno. The following three civilians died in the attack: **Helder Martins**, former political prisoner, **Carlito Tilman**, and **Pedro (Mauhunu)**, from Gleno who suffered severe wounds and died on 15 April. Their bodies were later buried by family members.

Case 1.1.19

On 22 April 1999, members of Halilintar, Bobonaro KODIM, and Dadurus Merah Putih, arrested and killed **Almeida (no surname)**, 26, male, from Ritabou, Maliana subdistrict. Almeida was taken from his home to Desa Batugade, Atabae subdistrict in a Toyota Kijang truck. He was beaten so badly that he died in custody. Militia members subsequently buried his body.

Case 1.1.20

On 17 April , in Dili, **Manuel Carrascalao**, 18, student, **Manuel Pinto**, 50, from Bahu village, Baucau sub-district, **Carmelinda Guterres,** 89, **Marcelina Carrascalao** were killed.[30] The killings occurred after a rally for pro-autonomy sympathisers that had been organised by the Dili based Aitarak militia, led by Eurico Guterres.

The 17 April pro-autonomy rally began at 10 am outside the front of the East Timor Governor's office where ceremonies were staged for a number of militia groups which had come to Dili from different areas. These groups included Halilintar (Atabe), Dadurus (Maliana), AHI (Aileu), Ablai (Same), Mahidin (Ainaro), Laksaur Merah Putih (Suai), Besi Merah Putih (Maubara), Makikit (Viqueque), Saka (Bacau), Jati Merah Putih (Lospalos). Also in attendance were the military and military commander, police representatives, the Governor and pro-autonomy civilians. In the morning Members of ABRI (Indonesian Armed Forces) forcibly woke local civilians, including old people and transmigrants, in order for them to attend the ceremonial part of the rally.

Joao da Silva Tavares (Pro-Integration War Commander) delivered the first speech. Eurico

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[30] ETHRC UA 399

Guterres, in his emotional speech to the militia, shouted "I order all militias of pro-integration to clean up the traitors of integration, arrest and kill them.... I, Eurico Guterres will be responsible."

At the finish of the ceremonial part of the rally the militias moved off in different directions, some towards Kolmera and others on to the East Timor University campus (UNTIM). One group passed by the CNRT office where shots were fired into the air. Vehicles belonging to the militia stopped outside the house of Herman das Dores (killed by the military in Manatuto in 1998) and set about to burn the house down. Two cars belonging to his family were also burned.

An ETHRC source has reported further details of the brutal shootings and attacks at the home of Manuel Viegas Carrascalao, a leading figure in GRPRTT (reconciliation movement) and CNRT. **Manuel (Manuelito) Carrascalao**, son of Manuel Viegas Carrascalao, 18, member of Humanity Volunteers Team, *Tim relawan Kemanusiaan,* was brutally killed by militia. He was shot in the left temple and the bullet went through to the back of his head. Twice two militiamen stabbed Manuel in the stomach. One used a samurai sword and the other a smaller sword. Each time, the swords penetrated through to Manuel's back.[31] He was stabbed from the back, which followed through to his left shoulder. It was reported that he died instantly. The dead body was not able to be located at first but after requests were made by Bishop Belo and Manuel's family members to Colonel Tono Suratman, Manuel's body was returned by the police. He was buried in the garden of his brother, Jose Manuel in Comoro. The police prevented the family from burying him at the public cemetery of Santa Cruz because the militia was in control of the cemetery. **Carmelinda Guterres** aged 89, the great aunty of Manuel, is believed to have been killed during the attack on the house. His cousin, **Marcelina Carrascalao**, is also believed to have been killed. Neither of the bodies have been seen and therefore confirmation is still being sought.

A militia group that had moved on to Becora after the rally passed by the Taibesi military company (745). At Becora civilians were brutally shot at and houses burned. **Manuel Pinto**, 50, from the village of Bahu, Baucau District was shot by bullets when he stepped off the bus from Baucau at the Becora bus station. He was taken to the Motael Clinic in Dili but later died at 6.15 p.m., on 17 April, after losing a lot of blood. Manuel Pinto's body was returned to his family for burial in April 19. **Sebastiao Martins**, 21, was also shot and sustained severe injuries to both legs. He later received medical treatment. Also at the bus station, 16 kiosks were burned, 2 motor bikes stolen, a mini-bus burned, 2 karoke machines and a video player were taken away. Goods that were being sold there were taken away by the militia. It was also reported that approximately $6,300 (Aus), belonging to Mateus (no surname) was stolen.[32] Several others were also injured in the attacks, see case 1.2.4 on attempted extrajudicial execution.

Case 1.1.21

Joao Soares Ximenes, Agricultural student, and **Bernardino Simao**, Public Sciences student, were kidnapped by Laksur Merah Putih, lead by Olivio Mendonca and then handed over to Mahidin, led by Cancio Lopes de Carvalho, on 9 April. The ETHRC has received reports that the students were killed on 12 April 1999 after their abduction. ETHRC sources indicate that both youths were killed at Duluquede (cemetery), near the BTT post, Uebaba hamlet, Cassa village. The students were on their way back from the Public Health Centre in Suai where they were to start their social work. It is believed they were targeted for their political activities on the UNTIM campus.[33]

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[31] ETHRC UA 399

[32] ETHRC UA 399

[33] ETHRC UA 499

Case 1.1.22

In the Suai District, an ETHRC source has confirmed that **Abilio Pires (Maulear)** went missing on April 16 but after one week his dead body was discovered. It is alleged he was killed by the militia. The Suai parish priest has reported that as of April 23 his body was still lying in a field where he was killed. The family had not been able to retrieve the body for fear of being targeted by the militia.

The following are the names of 12 other East Timorese civilians who are believed to have been killed. **Amaro (no surname), Amaro de Araujo, Domingos (no surname) Jose (no surname) Aurelio (no surname) Emilio (no surname) Mateus Araujo, Daniel (no surname) Amaro (no surname) Jorge dos Reis, Celistino (no surname) Felix (no surname) Marcal (no surname).**[34]

Since the above incidents in the Suai district, the ETHRC has received an unconfirmed report that a large number of bodies have been dumped into the Salele pond at the Salele military post. The ETHRC is still investigating this report.

Case 1.1.23

During April the Jati Merah Putih orchestrated a continuing campaign of violence and intimidation aimed toward supporters of independence. On 17 April, at about 8:00 p.m., **Virgilio de Sousa**, 43, from Somoco hamlet, Somoco village, Lospalos district was killed by Tim Alfa gunmen at his home. Local sources believe it was members of the Alpha Team, Jati Merah Putih, as they were spotted driving only one kilometre from the crime scene with only low beams.

Case 1.1.24

In the Ermera District, on 20 April, in the village of Maluskiik, sub-district of Railaco, local sources suspected that members of the Besi Merah Putih and members of ABRI assassinated the village head, **Bartolomeus (no surname)**. An ETHRC source has confirmed that Bartolomeus was at his home on the night when he was called outside. Once outside people standing in the dark shot him. It is also reported that on 22 April two farmers, **Antonio Borromeu** and **Carlito (no surname)**, from the village Hatolia, were killed by Battalion Territorial Troops (BTT). It was noted that these killings occurred the day after the Peace Agreement was signed by General Wiranto and representatives of different groups. With these killings, the local farmers of Hatolia are now too afraid to tend their land.[35]

Case 1.1.25

On 20 April 1999, the following civilian teachers were killed by Halilintar and Guntur militia members in the Bobonaro District: **Jose Barros**, 44, from Bandole Hamlet, Purugoa Village, Deputy Head Teacher at State Primary School No. 7, Purugoa, and **Cornelio da Silva**, 42, from Maumela Hamlet, Atudara Village, Cailaco Subdistrict, State Primary School No. 3 teacher in Maumela. The killing was carried out behind the Purugoa church.

Jose Barros was stabbed then shot in the head. Sources indicate the killing was performed by a Guntur Militia member named Aparicio (no surname) and Halilintar militia member named Viegas Bilatu. Eye witnesses claimed that Aparicio stabbed the victim. The body of the victim was collected by family the following day.

Cornelio da Silva was shot to death while running away from the Halilintar Militia. At the Railuli River, 20 Kilometres from Cailaco, he was executed by Cailaco Sector Police Sergeant Major Triyono. The victim's body was recovered from the crime scene the following day by the family. Cornelio's house was destroyed and the property of the victim was stolen. The militia also burned the houses of both victims.

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[34] ETHRC UA 499

[35] ETHRC UA 499

Case 1.1.26

In the Bobonaro District, Cailaco, on 21 April 1999, the following civilians were killed by members of Dadurus Merah Putih, Halilintar Militia, and the Indonesian army: **Antonio Bazilio**, 26, male, university student, and **Armando Belaku**, 50, male, farmer. Armando Belaku was stabbed in the back and the abdomen. Antonio Bazilio died from being stabbed in the neck with a knife. The perpetrators were identified by eye-witnesses as Paulo (no surname) from Ermera, working as a civil servant at Cailaco, and living in Atabae where he is a member of the Halilintar Militia; Flabiano Dasilelo, a member of Halilintar, from Biadoi Hamlet, Meligo Village, Cailaco Subdistrict; and Adao Babo, Cailaco civil servant, from Ermera, member of the Halilintar Militia. The perpetrators also burned down the civilians' houses.

Case 1.1.27

Venancio Soares da Silva, 32, male, farmer from Santa Cruz, Ailelo village, Hatolia District, was arrested and killed by members of the Hatulia branch of the Darah Integrasi under the leadership of Lucas (no surname), 48. He was arrested on 25 April, at about 11:30 am, when the militia came to his home looking for his brother, Dionisoio Pedro. He was taken to KORAMIL 05 Headquarters in Hatolia. After being interrogated he was taken and killed outside Santa Cruz Hatolia Cemetery. The body was found naked, hands bound, with multiple stab wounds. Joaquim da Silva, former head of Santa Cruz found the body on 26 April, at 9:15 am. Three of the perpetrators were identified as Francisco (no surname), Antonio Bercoli, and Lucas (no surname), the local leader.

Case 1.1.28

Evaristo Lopes, 25, male from Raca village, Lospalos District was thought to be killed by Kopassus on or before 28 April 1999. He was arrested on 21 April 1999 by members of the Alpha Team in Lospalos while travelling with three friends, Moses Lopes, Domingos Ribeiro, and Elias de Jesus. When Evaristo's family visited the Kopassus post to inquire on his whereabouts the Kopassus and Alfa Team members said they would return Evaristo when his wounds healed. Later the Alfa team said he ran out into the forest. His corpse was found on 28 April 1999, and the family buried it. Tomas da Costa and Joaquim Januario, members of the Alfa Team are believed to be the perpetrators.

Case 1.1.29

The ETHRC has received reliable information that sixteen East Timorese males have been confirmed as killed on May 16 in the village of Atara, located 100 kilometres south of Dili.[36] These men were shot dead after an early morning raid on the village. An ETHRC source has alleged that the pro-integration militia group, Team Pancasila, was responsible for the Atara killings. It is also alleged that members of the local TNI forces supported Team Pancasila in the raid. The following 16 were confirmed as killed: **Jose Lisu, Joao Sarmento, Abel de Jesus, Sidoni Leo** (30), **Urbano Pereira, Paulo dos Reis, Rogerio Talo Aci,** 25, **Agostinho de Jesus,** 34, **Armando (no surname),** 26, **Jose Justiano** 30, **Romeo (no surname),** 25, **Tomas (no surname),** 21, **Urbano Goncalves,** 35, **Abel Goncalves,** 25, **Paulo de Jesus,** 20, **Joao Leo Mali** 40. The ETHRC also received information that **Alfredo Goncalves**, 25, from Tatara village, was also killed in the attack.

It is also reported that another 21 people have disappeared, possibly killed, in the same attack and the ETHRC is making every attempt to confirm the whereabouts of these people. (see case 2.2.8)

Newspapers reported the raid and subsequent killings in Atara took place as the people of the village were getting ready to celebrate the morning Mass. Some villagers ran from their houses toward the coffee plantation where some people were shot. Also seven houses were burned and destroyed. The following five people have been confirmed as having their houses burned; they are Joao Atilelo, Antonio

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[36] ETHRC UA 699

Bertana, Fernando do Rego, Sisto Monis and Manuel Oliveria.

An ETHRC source has confirmed that access to the area of Atara has been made difficult because the military commander, from neighbouring Ermera district, ordered the members of the militia and military to destroy two bridges. With the destruction of these bridges, United Nations personnel have not been able to inquire about the case.

Case 1.1.30

The ETHRC has also received the names of several East Timorese civilians who are believed to have been kidnapped by pro-integration forces during May and early April.[37] According to local sources, **Alberto Oliveira**, 41, Liquica POLRES, and **Inacio dos Santos**, 13, were kidnapped on 9 May 1999. Alberto's dead body was found on 24 May 1999 in Ekali Hamlet, Vatuvou village, with the tongue and feet cut off and abdominal stab wounds. Inacio is believed to have been killed also, however, his body has not been found yet. Internal steps taken to locate Inacio have been unsuccessful. ETHRC sources have indicated that the following KODIM and BMP members are perpetrators of the killing: Francisco (no surname), from Pukelara hamlet, Jacob Domingos As Kopas, Tome (no surname), Nurdin (no surname), Haji Duarte Dahalaus, Dauris (no surname) member of Liquica POLRES, and Muhamad Macau.

Case 1.1.31

On 10 May 1999 in Dili, in the areas of Santa Cruz, Mascarenhas, Audian, Quintal Ki'ik, Quintal Bo'ot, Bemori, Kuluhun and Becora. Members of the Aitarak, Mahidin and Besi Merah Putih militias with the military and local police began to terrorise and attack civilians in these regions. The rampage began in Bidau Tahu Laran and spread throughout Dili. The military, BRIMOB, and militias closed down the street in front of Toko Dili Jaya and began to stop all motorised vehicles. During the rampage throughout these areas in Dili neither the police nor the military did anything to hinder the terror imposed by the militias; there were also reports by eye witnesses that police and members of the Indonesian military had taken part in the attacks while in civilian clothing.

The following are reported to have died in the attacks: **Ano (no surname)**, from Kintal Ki'ik; **Abitu Ribeiro**, 24, from Quintal Ki'ik, sliced by machete and shot at home, his family was reported to have found his body at the morgue; **Cesaltino da Costa**, 17, year 3 student at STM Fatumaca Baucau, originally from Alas, Same District, was shot in the head and chest and received a machete wound to the stomach while at home in Audian. There are unconfirmed reports that three other unidentified civilians died at Wirahusada Hospital, and that nine other unidentified victims died in Bidau.

Juju Ribeiro, brother of Flavio Ribeiro, was shot at in front of the Puti Bungsu Restaurant in Quintal Ki'ik. Jorge Gusmao, the nephew of Xanana Gusmao was reported to spend the night of 9 May in the house and was last seen there. Sources also indicate that **Jose Aleas Aboie**, from Baucau was also killed on 10 May 1999 in Quintal Ki'ik in a separate incident.

In Quintal Bo'ot on 10 May 1999 homes were destroyed and **Liger Noronha dos Reis**, the son of Manuel Reis, was killed in the attack. Two other people died subsequent to being injured, **Eugenio da Silva**, and **Armando (no surname)** were injured on 10 May 1999 in Quintal Bo'ot and subsequently died at the police headquarters.

The ETHRC also received unconfirmed reports that the following civilians were also killed in the attacks: **Flabio Urbanio Ribeiro**, 26, from Quintal Ki'ik, **Jose Ximenes**, 20, Quintal Ki'ik, **Agusto (no surname)**, Quintal Ki'ik.

Case 1.1.32

On 16 May 1999, just after the United Nations officials left Laleia towards Baucau, militia opened fire against civilians in Laleia sub-district, causing at least one death, one disappearance thought to be dead and one severe injury and one theft. **Umberto (no surname)**, from Motael Dili was shot dead. His corpse was transported on a motorcycle by a militiaman then dropped at an unknown location. **Domingos Gusmao**, public employee in Laleia was still missing. **Domingos Bartolomeu de Sousa**, a farmer was heavily injured. **Sebastiao Gusmao**'s family was also robbed in the attack.

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[37] ETHRC UA 599

Cases 1.1.33 - 1.1.94 see Appendix A

1.2 Attempted Extrajudicial Executions

Case 1.2.1

At 10.00 p.m., 25 January, members of the Indonesian military and armed civilian militia groups launched an assault on the village of Galitas, shooting at the local population.[38] The following five villagers were wounded on the 25 January 1999 attack on Galitas village: **Adelina Barreto**, 45, from Nagidan village, **Hermengildo Freitas**, 40, farmer from Nagidan, **Cipriano dos Santos**, 12, from Nagidan, **Rofina de Jesus**, 13, from Nagidan, **Rui Cardoso**, 12, SLTP Zumulai student from Nagidan. Several of the individuals injured received medical treatment at the Audian Catholic hospital in Santo Paulus. A number of other civilians were killed in the attack (see case 1.1.4).

Case 1.2.2

On 23 February 1999, 10:45 a.m., several civilians suffered from severe gunshot injuries in a violent gunfire attack by the perpetrators who were the Maubara subdistrict head Jose Afat and Danramil 03 Maubara Sergeant Major Carlos Amaral. The following civilians were severely wounded in the attack of 23 February 1999: **Bruno dos Santos Cardoso**, 37, shot in right forehead and neck, **Alberto Afonso**, 27, shot in left thigh, **Cesario Tavares**, 19, shot in shoulder and left arm, **Jovito dos Santos**, 25, shot in both lower legs. The following also suffered injuries: **Francisco Xavier**, 27, from Caicasa-vou, Guico village, **Lourenco dos Reis**, 28, Mau-Uno, Guico village, **Avelino Afonso**, 18, Vato-vei, Guico village, **Jorge da Silva**, 17, Irlelo, Guico village, **Claudio (no surname),** 30, Irlelo, Guico village, **Jose Afonso**, 45, Vato vei, Guico village. The residents of Guico village planned a peace building meeting near the village hall with the perpetrators. However, when the villagers arrived defenceless, the two perpetrators, who were in the lead vehicle and accompanied by Besi Merah Putih, BTT 143 and KORAMIL 03 Maubara members, suddenly opened fire with assault weapons. The BTT 143 and KORAMIL members shot into the air at the same time. Many other unidentified villagers are thought to have been injured in the incident. On 15 February in events leading up to the attack, several villagers were detained and beaten (see case 2.1.11).

Shortly after the attack on Guico village, on 3 March 1999, **Narcisio da Silva**, 30, farmer, from Mauno Rt. 01 hamlet, Guico village, was shot by members of the Indonesian Armed Forces who were dressed in full combat gear. In the attack 13 local civilians were attacked by about 20 members of the security forces and Halilintar Atabae. The other villages escaped injury. The victim was chased by the perpetrators for 1 kilometre after being shot. Subsequently, the victim was brought to the Motael Clinic in Dili for treatment. The victim's home, along with many others were destroyed in the attack.

Case 1.2.3

Reliable sources in East Timor have reported that on April 5-6, members of the Besi Merah Putih and Indonesian troops and police massacred civilians with guns and machetes. See Case 1.1.14 and Liquica Appendix B for full accounts of the massacre. In the attack on the church there were 32 confirmed and 9 unconfirmed attempted extrajudicial executions. In Dato village, outside the church, there were also 15 injuries from attempted extrajudicial executions. The killings and attempted executions took place in the church of Liquica where as many as 2000 civilians were seeking refuge from intimidation and violence at the hands of para-military groups in neighbouring districts.

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[38] ETHRC UA 1/99

Case 1.2.4

In the attack on Manuel Carrascalao's house on 17 April several civilians were killed (see case 1.1.20), and injured. Three youths have been identified as sustaining serious injuries at Manuel's house. **Marito (Micky)**, 18, member of Humanity Volunteers Team, was stabbed twice in the right hand and twice in his side. **Joao Junior Cairo Alves**, 18, was struck in the head with a sword, and received multiple gunshot wounds. He was treated at the Motael Clinic. **Victor dos Santos Lay (Apin)**, 19, suffered cuts on both wrists, left fingers nearly cut off and shot in right knee, is the other youth identified.

The attack was brutal and unexpected. It is reported that 143 refugees from neighbouring subdistricts of Alas, Liquica, Maubara, Turiscai and Suai were in the house at the time of the attack. More than 50 of them were forced to go to the police headquarters. The refugees were not able to escape because the militia had blocked off all of the streets.

An ETHRC source has reported that after the rampage and killings at Manuel Carrascalao's house, the militia celebrated into the night with a party.[39] Outside the Hotel New Resende Inn, Dili, **Afonso Mendonca Araujo**, 18, was struck in the head with a sword and fell to the ground as passing by. He was returning home from work but was forced to take the route past the hotel when the attack occurred. He was subsequently treated at the Motael Clinic. (See case 1.1.20 for killings during the attack).

Case 1.2.5

Metiaut village was another area where the Aitarak militia ran rampant on April 17. Civilians were victimised, shot at and injured. Four youths, who were on the beach talking, were approached by militia members and took their guns and pointed them at the youths. They were told not to run away but they defied these orders and dispersed into different directions. It was at this point the militia started shooting. **Joao Baptista**, 18 and a student at SMU Negeri lll in Dili, was shot in the leg and fell to the ground. **Manuel Gama**, 18, student at SMU Catholic School (Dharma Bhakti) was shot in both arms and the bullets went through his stomach. **Agapito Ximenes**, 23, was shot in the calf of the left leg then the bullet went through to his right calf. **Carlos da Silva**, 20, was shot in the stomach and another bullet hit and broke his hand. All four youths received medical treatment.[40]

On Sunday, 18 April, at 9:00 a.m., the shootings by the militia continued. An ETHRC source confirmed that the bus station at Becora was the scene of another attack. **Augusto da Silva**, 45, living in Becora village, East Dili, refugee from Alas, Manufahi sub-district, was shot in both hands while he was watching this incident. He was treated at Motael Clinic.

The military, BTT 143, (Territorial Battalion) together with troops from Company C 745, Becora, were reported as continuing the shootings on Monday, 19 April. There were also several killings during the attacks.

Case 1.2.6

On 9 May 1999, Dili civilians were subjected to random shooting by the Besi Merah Putih and Aitarak in the Acadiru-Hun neighbourhood and Mercado Lama (old market) area of Dili. Three individuals were seriously injured on 9 May 1999: **Evangelino (no surname)** from Quintal Bo'ot, **Jose Augusto Laranjinha Pinto**, 39, from Audian who was treated at the Motael Clinic, and **Antonio Araujo**, and **Gaspar I**. Pinto was shot in the left arm which went through to his stomach. He was with a group of people in front of the a restaurant called Putri Bungsu in Audian village when a car that came from behind the Dili Municipal Stadium drove up to the group of civilians and began to open fire. Eugenio Fatima was also killed in the attack (see Case 1.1.54, Appendix A).

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[39] ETHRC UA 399

[40] ETHRC UA 399

In Kintal Ki'ik, on 9 May 1999, the following victims were reported as also being heavily injured: **Rogerio de Sousa**, 27, from Quintal Ki'ik, gunshot wound; **Asala (no surname)**, from Quintal Ki'ik, shot in the chest; **Marta (no surname)**, from Kintak Ki'ik, hacked in the sholder with a machete; **Manuel Koku**, 28, from Kintak Ki'ik, shot in stomach and lower back; **Fatima (no surname)**, female, from Kintal Ki'ik, she and her baby were sliced with a machete.

One attack occurred at the Saldanha family residence in Quintal Ki'ik by Aitarak and Mahidin militia. **Manuel Saldanha**, 27, from Quintal Ki'ik, **Jose Saldanha**, **Jose Carembo** were wounded in the attack. Manuel Saldanha was treated in the Wirahusada Military Hospital. Jose Saldanha and Jose Carembo were treated at Motael Clinic.

On 10 May 1999, the ETHRC also received unconfirmed reports that the following individuals from Quintal Ki'ik were also injured in the attacks: **Lucio Alves, Francisco de Jesus Amado**, 45, **Gaspar da Silva**, 32, **Antonio de Araujo**, 17, **Freital Talan**, 31, **Angelino Ribeiro**, 24, **Zafrid Endok**, 42, **Inacio Gomes do Espirito Santo**, 24, **Abui (no surname), Abia (no surname), Atina (no surname).**

For further information on the attacks carried out in Dili on 9 - 10 May, see case 1.1.31.

Case 1.2.7

On 29 June 1999, at 10:00 am in Maliana, Bobonaro, about 100 militia members attacked pro independence supporters and the UN compound in Maliana by showering civilians with large rocks and attacking them with traditional weapons. Seven East Timorese civilians were seriously injured and suffered head and other serious injuries. Many other UN workers also suffered serious injuries. When the police support arrived they made no arrests. According to an unconfirmed UN report on the incident four senior Indonesian army sergeants and Lieutenant Satrisno were implicated in the incident. Lt. Satrisno, when confronted with the allegations responded with "If I was involved everyone would have been killed."[41] The ETHRC is still investigating the identity of the East Timores civilians injured and their current condition.

Cases 1.2.8 - 1.2.14 see Appendix A.

2. Violations of the Right to Individual Liberty

During 1998 the ETHRC received reports of 256 violations of the Right to Individual Liberty. In the first six months of 1999 there were 268 violations of right to liberty including 201 cases of arbitrary detention and 67 cases of disappearances. During this period a pattern of enforced disappearances leading to a confirmation of extrajudicial execution is frequent. Although many times this pattern is indeed confirmed, the ETHRC does not consider a civilian to be a victim of execution although they disappeared and are presumed dead by locals. Some of the information obtained alleges that the "disappeared" people were in fact killed, but these reports are very difficult to confirm and are only reported as extrajudicial executions when there is confirmation.

The vast majority of allegations have not been investigated, the perpetrators have not been charged or punished, and the Indonesian Military and the militias they support continue to enjoy impunity for human rights violations against East Timorese people.

2.1 Arbitrary Detention

The perpetrators of arbitrary detention in East Timor include the members of military backed militia in addition to the police and military. The practice is frequent in East Timor. The detentions documented here are in violation of widely accepted international standards. Article 9 of *the Universal Declaration of Human Rights* prohibits arbitrary arrest and detention, as well as Article 9 of the *International Covenant on Civil and Political Rights*, which states: "No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law." The cases documented also exhibit Indonesia's failure to abide by its criminal procedure code (KUHAP), therefore violating the East Timorese rights under Indonesian and international law. In the first six months of 1999, civilians were arrested without the required warrants,[42] and they were often arrested by the military or civilian militia, rather than by police, as required under Indonesian law.[43]

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[41] Military Blamed fro Attack on UN Timor Post, The Age, 27 July 1999.

Case 2.1.1

On 2 January 1999 KORAMIL 03 Maubara members arrested several youths in Vaviquinia village. The following individual was alleged to be arrested: **Maucuru (no surname)**, 29, from Vaviquinia village. Apparently the victim was tortured while being detained at a KORAMIL post. The current location and condition of Maucuru is unknown.

Case 2.1.2

In Cassa village, Ainaro Kota sub-district, Ainaro district, on 2 January 1999 members of the Mahidin and KORAMIL Cassa arrested the following seven male students of East Timor University: **Cancio da Costa**, 24, Mascarenhas village, West Dili sub-district, **Alberto Noronha Kelo**, 22, Mascarenhas village, **Lolito Maria Labes**, 22, from Vilaverde village, West Dili sub-district, **Celestinho Magno**, 23 from Mascarenhas village, **Oscar da Costa Beram de Araujo**, 22 from Bawah hamlet, Becora village, East Dili sub-district, **Mariano Mendes Corte Real**, 22, Vilaverde village, **Luciano das Neves**, 16, SLTP Student Kristal Cili, from Mascarenhas village. The students were detained, their hair was cut off, and they were interrogated. Alberto Noronha Kelo was beaten badly, kicked and stomped upon, suffering severe bruising.

Case 2.1.3

Two young men were arbitrarily detained, interrogated and beaten on 12 January 1999 in Gariwai village, Baucau District. The following are the victims: **Antonio Sarmento**, 21, from Gariwai village, Baucau Kota sub-district, **Idelfonso da Silva**, 24, farmer from Wailili village, Baucau Kota subdistrict. The alleged perpetrators include KORAMIL Baucau Kota security forces and SGI. The two victims were released after several hours.

Case 2.1.4

On 13 January 1999 members of Rajawali forces went from house to house in Lisadila village, Daru Lema sub-district, Nunulisa and Caikasa Hamlet and arrested the following four individuals: **Ermenegildo Nunes**, 23, farmer, **Eguido Martins**, 20, farmer, **Abel Afonso**, 20, farmer, **Julio Serao**, 20, farmer. The four victims suffered from cuts and bruises while in detention. The victims identified the perpetrators as: Marculin (no surname), INTEL, Mariano (no surname), INTEL, Prajurit Antonio Gomes, KORAMIL 03 Maubara, Prajurit Teofilio, KORAMIL 03 Maubara.

Case 2.1.5

On 14 January 1999 the following nine Vato Boro villagers, Sabulau were arrested: **Jose Mausuma**, 21, student, **Francisco**, 20, student, **Faustino Barbosa**, 48, farmer, **Alfredo Soares**, 45, farmer, **Bento (no surname)**, 30, farmer, **Leonardo (no surname)**, 25, farmer, **Antonio Belo**, 22, farmer, **Carlos Serao**, 25, farmer, **Florindo (no surname)**, 21, student. The individuals were arrested, tortured, and subsequently taken to the BTT 143 post. BTT 143 Maubara,

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[42] Under Indonesian law, suspects must be served with a written warrant of arrest, unless they are caught committing the criminal act , and their relatives must be furnished with a copy. Indonesian Criminal Code of Procedure, KUHAP Art. 18. Arrests are valid for a maximum of 24 hours, after which authorities must produce an arrest warrant or release the suspect. KUHAP Art. 19.

[43] The police have the sole responsibility for arrest, detention and investigation in criminal cases. (KUHAP Art. 18).

Gardpaksi, Naga Merah, Mahidin, and Besi Merah Putih members were responsible for their arrest and subsequent torture. The victims are now in Dili, or in hiding in Liquica.

Case 2.1.6

Three youths were arbitrarily detained and beaten by members of the Mahidin, headed by Joao Batista on 20 January 1999. The following youths were detained in Manutasi village, Ainaro sub-district on their way to Dili: **Leonel de Araujo**, male, 20, student at SMU Negeri Ainaro, from Soro village, Ainaro Kota sub-district, **Domingos de Araujo**, male, 21, Ainaro village, Ainaro Kota sub-district, **Augusto de Andrade**, male, 19, from Soro village. While in detention they were subjected to punching and kicking by Mahidin members.

Case 2.1.7

In response to the killing of Fernando Cardoso (see case 1.1.3) civilian authorities of Muspida TK II Suai Covalima district formed an investigation team and went to Cassa on 25 January 1999. The team was beaten and **Nuno Sarmento**, a teacher and leader of the investigation team, was abducted. Nuno Sarmento was subsequently released after being held for over a month.

In addition to Nuno Sarmento, the four other members of the investigation team were detained and tortured by the Mahidin in Casa village, and were subsequently released: **Dinis Piedade,** Sospol Staff Tk II Covalima, from Suai kota, **Salmono Ati**, nurse, from Suai, currently residing in Zumulai sub-district, **Melki (no surname)**, nurse, from Bima NTT, residing in Zumulai sub-district, **Priono Supranoto**, Doctor, from Java, residing in Zumulai sub-district.

Case 2.1.8

On 5 February 1999, 9:40 Manuel Almeida's home, and his family were attacked by about 40 youth members of the Naga Merah. Manuel Almeida is the Head of the village of Vatubuo, Liquica. He was not present at the time of the attack, however, his wife and family were home. The youths, many dressed in ABRI camouflage, used knives, rocks, iron bars, and M16s to carry out the destruction of the house and intimidation of the family. The following three members of Manuel Almeida's family were kidnapped at this time: **Amancio, Jose Nunes, and Martinho**. They were taken to the Naga Merah post in KORAMIL 02 Maubara where they were alleged to be tortured.

Case 2.1.9

According to unconfirmed reports, **Custodio da Silva Nunes**, East Timorese Regional Parliament Member, was beaten and detained on 2 February 1999 by members of Ratih. He was last thought to be in police custody in Maubara, Liquica.

Case 2.1.10

Paulino de Carvalho, 21, student at Undana Kupang from Ulmera village, Bazartete sub-district, Liquica District was arbitrarily detained on 12 February 1999. Paulino de Carvalho was arrested because he was a witness to the beating of a Naga Merah member on a trip on a mikrolet between Liquica and Bazartete. Lauhata and Maumeta officials arrived with police who arrested the driver and conductor because the perpetrators could not be found. The village officials found the victim, one of the perpetrators and Paulino, a witness, on orders of the police and brought them to a Lauhata village office. Subsequently, the perpetrator Reinato (no surname) escaped. However, the village officials brought Paulino de Carvalho to POLRES Liquica. The police at POLRES are apparently treating Paulino as though he was the perpetrator and are keeping him in custody. Paulino de Carvalho was last known to still be held at POLRES Liquica according to his brother and sister who reported the case to Yayasan HAK. The current condition of Paulino is unknown.

Case 2.1.11

On 15 February 1999, in events leading up to the 23 February 1999 attack (see case 1.2.2), the Besi Merah Putih detained several Guico villagers and beat and tortured them, including the following: **Paul Goncalves**, Guico village Babinsa, and an **unidentified pregnant woman**. They were subsequently brought to the BTT 143 Maubara post. The woman was taken to an unidentified area separate from the men. On 16 February 1999 most of the villagers except Paul Goncalves and the unidentified pregnant woman were released. Paul Goncalves was released on 19 February 1999. The pregnant woman gave birth to her child at BTT 143 post and was last known to be held at the post.

Case 2.1.12

On 16 February 1999, BTT 03 Maubara and BMP members arrested the following 18 people in Vatuvou village, Liquica: **Amoncio Pinto**, 27, from Vatuvou village, **Jose Soares**, 25, from Vatuvou village, **Domingos dos Santos**, 20, from Vatuvou, **Manuel Soares**, 22, from Vatuvou, **Joao Soares**, 25, from Vatuvou, **Andre Serrao**, 22, from Vatuvou, **Daniel Crisno Vilat**, 22, from Lissa-Dilla village, Maubara subdistrict, **Saturnino de Oliveira**, 18, from Lissa-Dilla, **Joanico de Oliveira**, 19, from Lissa-Dilla, **Claudino Soares**, 20, from Lissa-Dilla, **Armindo da Costa**, 18, from Lissa-Dilla village, **Manuel de Oliveira**, 27, from Lissa-Dilla, **Eduardo do Santos**, 20, from Lissa-Dilla, **Umberto Afonso**, 23, from Lissa-Dilla, **Alfredo Sanches**, 20, from Lissa-Dilla, **Joao da Silva**, 23, peasant, transmigration area, **Jose Mendes**, 27, from Vatuvou, **Florindo da Silva Nunes**, 25, Vatuvou. **Florindo da Silva** allegedly suffered from slashing on his hands and face according to reports of his family. Only family members were allowed to see him.

On their way to the Police Station in Maubara walking (15 km), their hands were tied to each other, while their bodies were continuously stabbed by the military and the militiamen. At the Police Station where they were detained, they were tortured.

They were arrested after the Besi Merah Putih paramilitary group attacked the villages on 15 February 1999. These militia members were part of a group of about 100 men that attacked the population in Lisalara and Boravei, Vatuvou village, Maubara subdistrict on 15 February. Of the youths arrested, seven were released shortly after their arrest for medical treatment, ten others were released in early March 1999. However, **Armindo da Costa** is believed to have been charged with murder for the death of Joanico Gomes. He has allegedly been appointed a lawyer and still remains in custody.

Jose Mendes was arrested again on 20 February after being released once, and was tortured by the militiamen in the front of "Camat" (the Sub-regency Officer) of Maubara, the Sub-district Military Commander and the Chief Police of Maubara. Later, it was reported that Mendes was brought to the Chief Police residence for protection.

On 19 February 1999 Joao Tavares, leader of the paramilitary group Halilintar, and the Area Leadership Conference of Bobonaro (MUSPIDA) held a pro-autonomy rally in Balibo. On 21 February 1999 the Halilintar arrested and brutalised civilians in Atabae after they returned from church and were shopping in the market. The following six individuals have been identified as being badly beaten with batons and subsequently arrested and brought to the Atabae KORAMIL**: David (no surname)**, 20, UNTIM student from Rairobo village, **Amandio (no surname)**, 30s, farmer from Rairobo village, **Jose (no surname)**, 20s, East Timor University student from Aidabalete village, **Mau-Ato (no surname)**, 20s, farmer from Aidabalete village, **Andre Guterres**, 15, farmer from Rairobo village, and **Pedro (no surname)**, 20s, farmer from Rairobo village. There is no further information on these individuals, their current location or condition.

Case 2.1.13

The ETHRC has received unconfirmed reports that **Jose Andrade,** 47, teacher from Rita Bou village, and **Carlos Maia**, 54, a civil servant from Laho Mea were beaten and arrested on 22 March 1999, at approximately 4:00 to 5:00 p.m. by Indonesian soldiers in Maliana. They were both arrested and brought to Maliana KODIM headquarters. The following soldiers were alleged perpetrators of the beatings: Sgt. Gouveia Leite, Sgt. Joseph Legui, Cpl. Rui Beremano, and Cpl. Bere Laka. **Domingos (no surname)**, from Holsa village was also alleged to have been brought to KODIM that night and tortured. It is not known if the victims are still in detention.

Case 2.1.14

On 5 April, at 5:00 p.m., several civilians were arbitraly detained and tortured by members of the Tilomar KORAMIL, and Laksaur Merah Putih members in Desa Maudemo, Tilomar subdistrict, Covalima district. **Alipio Maia Moniz**, 38, civil servant for the Suai Office of Education and Cultural Services, was arrested in the Tabolo hamlet on 5 April 1999 and taken to Tilomar 02 KORAMIL where he was detained for two days and nights and released. He was tortured in detention by militia and KORAMIL members and suffered from bruising and bodily injuries including profuse bleeding from mouth and nose. **Afonso Cardoso Moniz**, 19, from Asumaten village, Suai Cota subdistrict was arrested and released after receiving death threats. **Anselmo Bere**, 17, student from Asumaten was arrested and released after receiving death threats, and **Ligia Maia Seu**, 4, daughter of Alipio Moniz. These victims were arrested on their way home from chores in Coitau. The militia who arrested him operate out of Tilomar subdistrict KORAMIL headquarters, and the perpetrators are as follows: Egidius Manek, 30, male, leader of Laksaur Merah Putih, and Hendrikus Mali, member of Laksaur Merah Putih. The alleged perpetrators are as follows: Igidio Kmanek, Ratih militia member from Tilomar trained by Kopasus, and Hendrikus Mali, Kodim staff who is a member of the Ratih. Alipio Maia Moniz's arrest was in the escalating violence that eventually led to the Dato village deaths of 5 April 1999. He was actively involved in reporting human rights violations.

Case 2.1.15

Jose Corte Real, 27, male from Desa Raemea, Zumulai subdistrict was arrested and detained on 6 April 1999, 10:00 am at Desa Oges crossroad, in Suai Kota subdistrict by members of Laksaur Merah Putih. Jose Corte Real was a refugee in Paroqui Suai, when he left there to pick up food in Matai village. He was arrested by the militia members guarding the Laksaur Merah Putih post at Leogare and beaten. He was then taken to KODIM 1635 headquarters. He may still be in custody. The ETHRC is still trying to confirm if he is still in detention.

Augusto da Silva, 22, male from Galitas village, Lour village, Zumalai subdistrict was arbitrarily detained and beaten by members of the Laksaur Merah Putih on 6 April 1999. The victim was taking refugee in Paroqui Suai, he left to go to Galitas and was arrested at the Laksaur Merah Putih post in Galitas. After being assaulted and suffering bruising to his head and face he was taken to KODIM 1635 headquarters in Covalima. According to ETHRC sources the perpetrators are as follows: Alipio Mau, from Fatululik, and Andre Col from Bau Rai Ikun, Atambua NTT. Both of the perpetrators reside in Baru hamlet.

Case 2.1.16

On 7 April four civilians were arrested and tortured in Maudemo village, Suai Kota subdistrict, by members of the Laksaur Merah Putih. The victims were arrested and assaulted while at the home of Elezeo Gusmao. The militia members then took the victims to KODIM 1635 Covalima. The following are the victims: **Alfredo Lau**, 24, male, from Rumah Murak hamlet, Maudemo desa Suai kota subdistrict, son of Carlina Berek and Candida Amaral**, Fr. Armindo de Jesus**, 28, male priest from Rumah Murak, **Gregorio Pedro**, 17, Year 3 male student at Salele Junior High, from rumah Murak, son of Leonito Moniz and Beatriz Carvalho, **Aristo Moruk**, 26 male from Rumah Murak, son of Santino da Silva and Santina Moniz. The perpetrators of the crimes were identified as: Jacinto da Silva Nahak Manek, 36, Egidius Manek, 30, Hendrikus Mali, 49.

Case 2.1.17

On 12 April 1999 **Manuel Magalhaes, Jose de Andrade, and six unidentified others** were arrested in Maliana sub-district, Bobonaro. The two identified men are in custody in Maliana, Bobonaro sub-district and have been given access to lawyers. They were arrested in a joint exercise by the TNI and the paramilitary unit called Halilintar. These two forces also allegedly destroyed houses including those of the eight men arrested. Manuel Magalhaes is a member of the National Council for Timorese Resistance. The other men were subsequently released. However, Jose de Andrade was beaten unconscious in custody and sought hospital treatment upon release.

On 13 April 1999, 10:30 a.m., **Rafael (no surname)**, age 27, assistant bus driver on Dili-Maliana Route, from Malilait village in Bobonaro District was arrested at the Bibi-Maliana bus terminal. Soldiers of the BTT from the Bobonaro KODIM arrested him because he was unable to produce identification. They took him to KODIM 1635 Bobonaro headquarters, where he was tortured and suffered from bruising on several parts of his body. He was subsequently released the following day.

Case 2.1.18

On 15 April 1999 the Aileu Military District Security Forces arrested the following 4 men in Talito Village, Laulara Sub-district, Aileu District: **Hilario da Costa**, 24, Civil Servant at the Health Department office at Turiscai, from the Same District; **Eugenio da Costa**, 24, from Turiscai, Same District; **João Mesquita**, 28, Civil Servant, from Talito Village, Laulara Subdistrict, Aileu; **Martinho dos Reis**, 22, from Talito Village, Laulara Sub-district, Aileu. Hilario and Eugenio fled to Dili at the time of the massacre at Alas and Weberek in Same. The four individuals were arrested for no stated reason and were transported by car to the District Military Headquarters in Aileu. According to unconfirmed reports the individuals were arrested in connection with the shooting of security forces in Laulara on 13 April 1999. Joao Mesquita and Martinho dos Reis were released on 24 April 1999. However, it is alleged that they were tortured and assaulted by the security officials while in detention. Hilario and Eugenio da Costa were still being detained at Military Headquarters in Viqueque.

Case 2.1.19

On 15 April 1999, 12:15 p.m., at RT 03, Asu Mau Village, Remixio Sub-district, the AHI militia, members of the Rajawali, and Aileu Military District Command members arbitrarily detained eight civilians. There was no stated reason for their arrest. During their detention at Aileu Military District Command Headquarters the eight victims were reported to have undergone severe torture and forced to make statements regarding political activities of the locals. All eight were released on 17 April 1999. The eight civilians were: **Rogerio Araujo de Medonca**, 21, Civil Servant from Asu Mau Village, RT 03, Remexio sub-district; **Henrique da Costa**, 24, Civil Servant from Asu Mau Village; **Humberto da Silva**, 23, civil servant from Asu Mau Village; **Francisco Cavalho**, 34, Civil Servant from Asu Mau Village; **Ambrosio Medonca**, 26, Civil Servant from Asu Mau Village; **Jose da Costa**, 32, civil servant from Asu Mau Village; **Jose Mendoca**, 35, civil servant from Asu Mau Village; **Adolfo da Costa**, 22, civil servant from Asu Mau Village.

Case 2.1.20

On 16 April 1999, in neighbourhood IV, Liaoli hamlet, Bahamori village, Baucau Sub-district, the Baucau Police, Baucau Military District Command and BTT 143 members carried out the abduction and torture of **Antonio da Costa Belo**, 33, from Baumori village. He was subsequently taken to the Baucau Police Station, and was accused of being a perpetrator of the 2 April abduction of two civilian reserve officers (KAMRA). It is not known if he is still in detention.

Case 2.1.21

On 17 April 1999, ETHRC sources reported that eighteen individuals were arrested in Viqueque by a joint team of militia and the Indonesian military. They were then taken to Viqueque KODIM. Part of those responsible in the Dilor District include members of the 59/75 militia under the leadership of Raimundo Soares. The 18 arrested were: **Vitorino de Carvalho**, 44, **Bonifaco Soares**, 25, **Jose Soares**, 22, **Tomas Ricardo**, 22,

Alcino Soares Pinto, 20, **Acasio Soares Pires**, 20, **Marcos Soares**, 16, **Paulino Soares**, 30, **Mau Pinto**, 20, **Luis Soares**, 20, **Antonio Sarmento**, 55, **Rogerio Soares**, 29, **Jose Soares**, 30, **Gilberto Pires**, 40, **Silvino Soares**, 34, **Mateus Soares**, 18, **Manuel Pires**, 34, **Jacob Pires**, 30.

Case 2.1.22

In the Pasabe subdistrict, on 19 April 1999, five civilians were arbitrarily arrested and their houses and belongings were destroyed by members of the Sakunar militia and Indonesian security forces. The following civilians were abducted in this incident: **Antonio Lafu**, Pasabe State Junior High School teacher, **Leovegildo Pui**, Pasabe sub-district information officer, **Manuel da Conceicao**, Pasabe State Primary School Head Teacher, **Jose Antonio Lafu**, former Head of Abani village, **Marcus Bobo Emanuel de Conceicao**, from Pasabe village. After their detention, family members of the abducted individuals sought protection in the home of a local priest.

The following five civilians were also arbitrarily arrested and detained in Oesila Subdistrict: **Luis Neno**, Oesila Health Centre nurse, **Paulo da Costa**, Oesila State Junior High School staff, **Miguel da Costa Gama**, Oesila State Primary School teacher, **Belarmino Sequera**, Oesila State Primary School teacher, **Damiao Marques**, from Oesila sub-district.

In the Pante Makasar Sub-district, the following two persons were arbitrarily detained: **Antonio da Conceicao**, from Padiae village, and **Jose Talue**, from Padiae village. Jose Talue was later released but has disappeared since 13 June 1999 (see case 2.2.10).

Case 2.1.23

Carolino da Silva, and **Valerio Valente** were arbitrarily detained by the Alpha Team of the Jati Merah Putih militia on 21 April 1999 during a pro-integration parade that started in Lospalos and ended in Ililapa. Carolino was detained, tied up and brought to the district headquarters where he was alleged to have been tortured. He was released three days later. Valerio was also arrested and tortured for two days then released. The militia members who arrested the civilians in Ililapa Lore II village are Tomas da Çosta, and Joaquim Januario. The civilians were arrested during a pro-integration parade led by Francisco Correia Pinto, Horacio Gago Cabecadas, Jaime Lemos, and Jose da Conceicao.

Case 2.1.24

On 22 April 1999, at 9:30 a.m., the following individuals were arrested: **Alberto da (Silva) Costa**, 23, **Helio (Tavares) Guterres**, **Domingos da Silva**, **Sebastiao da Silva**, **Egidio da Silva**, **Belai (no surname)**, **Elvino Cerilo dos Santos**, **Lourenco Sarmento**, **Eurico Gaspar Amaral, Leopoldino (no surname), Queiros (no surname), Antonio da Costa, Cesaltino (no surname), Jose Kai, Amoe (no surname), Fernando dos Santos, Kobuti (no surname)**. Mateus de Carvalho asked teachers, students, and community at Hera Polytechnic to come to a peace dialog with the Aitarak militia. As soon as they gathered together in the morning the Aitarak militia, BRIMOB and BMP members surrounded the youths and arrested those believed to be activists at Polytechnic Campus. The Indonesian Armed Forces and militias arrested the youths in Hera. They were then brought to the village heads home, and they were last thought to be held at POLDA. No further information is available (see also torture case 3.1.16)

Case 2.1.25

On 22 April 1999, the Indonesian army arbitrarily arrested and detained the following civilians: **Alfredo da Costa**, 31, farmer, from Nunomogue village, Fatubuilico Subdistrict, Ainaro District, and **Mouzinho da Silva**, 21, from Nunomogue village. Both men were seeking refuge in Dili when they fled to Aileu with two friends, Filipe and Apolinario, because of fears of persecution in Dili of independence supporters. The two men were abducted by security officials carrying out inspections from Dili to Aileu. Without explanation, the two victims were assaulted and transported to the Aileu Military District Headquarters, where the security officials subsequently made contact with the Mahidin militia and notified them of the two arrested. Mahidin members then took them to Ainaro. No further information is available at this stage.

Case 2.1.26

In a serious of attacks by the Besi Merah Putih and the Aitarak in various areas of Dili on 9 - 10 May 1999 numerous civilians were killed, injured and detained. **Alberto Saldanha**, from Quintal Ki'ik was detained at the police station following that event. It is not known if he is still detained. On 10 May 1999 in Bemori, **Francisco (Jose) Amado**, former head of Suco Bemori was apprehended by the Aitarak militia after the militias also destroyed his homes. Mr. Amado was last thought to be detained in the Aitarak base camp. The ETHRC is still determining his current location. For further details of the killings see case 1.1.31.

Case 2.1.27

Roberto da Carmo, Gaspar Lopes and **Januario Andrade** were arrested on 19 May 1999 by police in Aileu. They were last reported as being held at POLDA in Dili, where they were reported to have been beaten and their faces badly bruised. Roberto da Carmo and Gaspar Lopes are both reported to be members of Falintil. Januario Andrade has been released. It is not known if the others are still in detention.

Estevao Pereira, 21, student, and **Agostinho da Costa**, 24, student, were arrested along with four unidentified other people on 20 May 1999 by members of Rajawali, a KOPASSUS unit, along with troops from battalion 744. Since 17 April 1999, KOPASSUS set up a military post near the Politeknik Institute in Hera, Dili. Members of Aitarak have been housed on the campus, denying access to students and professors. All those arrested were students at the institute. They were arrested when they attempted to return to campus to collect their clothing and other belongings. The unidentified four have been released. However, the other two were last being held at POLDA, with no reasons given for their arrest. No further information is available at this stage.

Case 2.1.28

On 27 April 1999 three young males were abducted by the Saka militia and Baguia Military Subdistrict Command members, in the Baucau District. The following individuals were arrested and tortured: **Armindo Ximenes Sarmento**, 23, from Uacala Village, Baguia Sub-district, **Carlito Soares**, 21, from Quelicai subdistrict, **Luis Fraga Soares**, 17. Arindo Sarmento was abducted at Samalari market. Carlito Soares and Luis Soares were abducted at the Laisorulai market by a team of Saka militia members and Baguia army officers. The youths were brutally beaten while in detention at the Saka militia post in Lai Sori Lai

Case 2.1.29

There is an unconfirmed report that the following four individuals were arrested and tortured on or before 3 May 1999: **Jose da Costa**, 41, civil servant, **Adolfo de Jesus**, 25, farmer, **Mateus Tilman**, 22, student, **Chico de Jesus**, 31. Jose da Costa's house was alleged to be set on fire by the perpetrators. The arrest took place in Rajawali, Berreliurai, and Remexio by Rajawali members.

Case 2.1.30

Luis Evaristo Lopes, an internally displaced person, was arbitraly arrested on 24 May 1999 in Metiaut, Dili, by a local Dili leader. He was subsequently turned over to the SGI in Dili, and was being held at the Tropical building, militia secretariat in Dili. He was allowed to go visit his family on 16 June 1999 with instructions to return, however, he never went back to the militia post.

Case 2.1.31

On 8 June 1999 the Dadarus Red and White militia attacked Memo village in Maliana, Bobonaro. In the attack the home of Aniceto Guterres Lopes' parents was attacked. Aniceto is the Director of the Dili based human rights NGO called Yayasan HAK. In the attack the militia surrounded and attacked the house and captured and tortured **Justino Goncalves dos Santos**, 31 and **Dinis dos Santos**, 34 who are both cousins of Aniceto. Aniceto is subject to systematic persecution because of his human rights work. **Afonso Reis**, 22, was also detained and brought to Maliana KODIM. The ETHRC is still investigating this case.

Cases 2.1.32 - Case 2.1.57 see Appendix A.

2.2 Enforced Disappearances

In 1998, the ETHRC received reports of 21 East Timorese who disappeared. This figure has increased to 67, in just the first half of 1999.[44] Indonesia is obligated as a UN member to abide by the general principles under Article 3 of the *Universal Declaration of Human Rights* which grants everyone the right to "liberty and security of person," as well as being bound by Article 9 of the *International Covenant on Civil and Political Rights*, which states that "No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law."

Lack of security in East Timor for human rights organisations makes it is difficult to obtain information about the progress of cases. People reported as "disappeared" have often been arbitrarily detained at unknown locations, or were seen being abducted by unidentified individuals. However, those who are never located are likely to have been killed, or to have gone into hiding over fear of further persecution or death.

Case 2.2.1

On 10 January 1999, 4:00 p.m., **Carlito de Araujo**, 30, from Una-Ana-Uco village, Venilale sub-district, Ossoguigui hamlet, Baucau district, was abducted and has been missing up to this date. The victim was on his way to his parents-in-law house only 100 metres from his home when a group of armed men, believed to be ABRI members dressed in civilian clothes, surrounded Carlito de Araujo and beat him with a rifle butt, and bound him by his hands and feet. He was then carried off in the direction of Kaibuilori. They reached the river at 6:00 p.m. where witnesses heard Carlito de Araujo cry out as a result of the beatings, however, nobody came to his aid because the witness thought the group of abductors to be ABRI members. The locals believe that he has been killed. The current location and condition of Carlito de Araujo is unknown.

Case 2.2.2

On 27 January **Jose Soares** and **Joao Cardoso** were detained and tortured by members of the Mahidin group who were also responsible for the death of **Fernando Cardoso** (see case 1.1.3). There are also unconfirmed reports that **Alipio Barreto**, 23, was also captured during the attack. The victims were riding mopeds when they were stopped. Jose Soares was beaten on the spot and then taken to Casa village, Ainaro sub-district. Jose Soares has been missing ever since this incident. Joao Cardoso ran away from the perpetrators initially, and sought refuge in Zumalai town. At 6:00 p.m. he was found by the Mahidin group and detained and has not been seen since. Both of the victims' current whereabouts and condition is unknown.

Case 2.2.3

There was continued violence in the Zumalai sub-district in late January. **Jose Florindo Amaral**, 22, **Alarico Amaral**, 50, and **Emelia de Jesus**, 43 disappeared in Zumalai. The men were reported missing on 23 January 1999. Their current whereabouts is unknown.

Case 2.2.4

On 21 April 1999 at about 5:00 p.m., two brothers were kidnapped by Halilintar and the army, and a third victim was kidnapped and subsequently killed in the Bobonaro District. **Aparigio Malitae**, 28, farmer, from Raiabe

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[44] East Timor Human Rights Centre, "East Timor: No Solution Without Respect for Human Rights", op. cit., page 19.

Hamlet, Purugoa Village, Cailaco Sub-district, and **Carlos Samaati**, 26, farmer, from Raiabe Hamlet were kidnapped. Their current location and condition is not known. Other teachers were killed during the attacks of 20-21 April (see case 1.1.25).

Case 2.2.5

On 10 May 1999, **Fernando de Jesus**, 30, a married farmer from Bibilieu, was taken by Group 59/75 Junior to Buikarim. ETHRC sources indicate that the family was informed by local authorities that de Jesus was killed and buried on the same evening. ETHRC has been unable to confirm his death or his whereabouts.

Case 2.2.6

On 10 May 1999, in a separate incident the following eight people, seven of which are female and three of which are believed to be children, were taken from their home in the Santa Cruz District of Dili: **Cesaltina (no surname)**, **Olandina Maria Caetano**, **Elda Maria Caetano**, **Lita (no surname), Julia (no surname), Zelia Guterres, Maria Julia Guterres,** and **Afonso Guterres**. Local police denied any knowledge of the incident or their whereabouts. However, ETHRC sources later confirmed that they were brought to POLRES and released on the same day.

Case 2.2.7

Agostinho Amaral, 24, UNTIM student was detained by police and local members of the TNI at his home on 11 May 1999, 7 a.m. After detaining him at his home in Aileu City, Quintal District the TNI and Police took him to an unknown location. Agostinho Amaral's church inquired about his location at the local police headquarters (POLRES) and the local military command (KODIM) in Aileu, but received no information on his location or formal charges. His location and condition are unknown.

Case 2.2.8

On May 16 in the village of Atara, located 100 kms south of Dili, ABRI forces supported by Team Pancasila attacked and killed a large group of civilians, the whereabouts of many of the victims of the attack are unknown. The following 21 are confirmed as disappeared and believed to be killed: **Manuel Oliveira,** 50, **Joao Ati-Lelo**, 35, **Geraldo dos Reis**, 26, **Raimundo Leo**, 25, **Alberto de Araujo**, 21, **Miguel de Jesus**, 24, **Clementino (no surname)**, 18, **Afonso Guterres**, 28, **Lorenco do Rego**, 25, **Valenti (no surname)**, 23, **Carlos (no surname)**, 28, **Helder Sanches**, 24, **Rogerio de Araujo**, 18**, Calisto dos Reis**, 24, **Joao Leto-Bere**, 23, **Joao Reis**, 34, **Luis Goncalves**, 21, **Jose Goncalves**, 27, **Zacarias (no surname)**, 24, **Joaquim (no surname)**, 24, **Moniz da Silva**, 28.[45] Along with the disappearances at least 17 were killed in the same incident (see Case 1.1.29), and several homes were destroyed (see Appendix C, Case 3.3.82).

Case 2.2.9

The ETHRC is concerned for the safety of nine East Timorese civilians who were captured by members of the military-backed militia between 17 and 18 May, following an operation in the sub-district of Bazartete, west of the capital Dili. Their whereabouts is still unknown, despite internal steps taken to locate them.

ETHRC sources have reported that **Etelvina (no surname), Augusta (no surname), Abeba (no surname), Hermelinda (no surname), Constantino (no surname), Belarmino (no surname), Justina (no surname), Felix (no surname) and Ana (no surname),** were captured during a paramilitary operation conducted in the Bazartete area by members of the pro-integration civilian militia. The aim of the operation was to capture and kill pro-independence supporters. The operation, which covered several villages, from the Nassuta village up to the village of Fahi Lebu, was ordered by the head of the district of Liquica, Leoneto Martins and the Commander of the Besi Merah Putih militia, Manuel de Sousa. Houses were destroyed and other property belonging to local villagers were stolen during the operation. Local sources have reported on similar operations taking place in other parts of East Timor and the ETHRC will continue to investigate these claims.

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[45] ETHRC UA 699

Case 2.2.10

On 13 June 1999 **Jose Talue**, from Padiae village, Pante Makasar subdistrict disappeared after being ordered to Kefamenanu, West Timor, by a sergeant from Battalion 744 TNI. He has been repeatedly targeted by the military for his involvement and support of the CNRT (see case 2.1.22). His family has not heard from Jose since his disappearance.

Cases 2.2.11 – 2.2.16 see Appendix A.

3. Violations of the Right to Integrity and Security of Person

Torture, rape and other cruel, inhuman or degrading treatment, whether physical or mental are human rights violations which are clearly stated in Article 1 of the United Nation's *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (*Torture Convention*). Indonesia has signed and ratified the *Torture Convention* making the government bound by the principles set forth within it. The ETHRC therefore reports all violations of Article 1 of the *Torture Convention* in this section.[46]

In East Timor, there is a trend of impunity for the perpetrators of the *Torture Convention*, as allegations are generally not investigated by the Indonesian authorities and perpetrators are not brought to justice. Regardless of the security situation in East Timor,[47] and regardless of whether the perpetrators are Indonesian officials or militias[48] sponsored by the Indonesian government, Indonesia must still prevent all acts of torture, investigate the crimes, and bring to justice all perpetrators under the *Torture Convention*. An overview of this section will clearly show that Indonesia has also failed to uphold accepted international standards in respect of treatment of prisoners in detention, to which Indonesia has subscribed.[49]

In the first half of 1999, 220 East Timorese were subjected to torture perpetrated by the militias, and the Indonesian military forces, usually as retribution for being connected with the independence movement.

The ETHRC also received reports of 17 East Timorese civilians who were subjected to rape and sexual abuse. These violations generally occurred in police, military, and militia posts, but there are also an increasing number of cases of people being subjected to violations at the time of their arrest and within their homes.

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[46] In the *Torture Convention*, "torture" is defined as "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person" to get information, or to punish, or to intimidate that person or another person. Art. 1.

[47] Article 2(2) of the *Torture Convention* states that "No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification for torture." Under the Convention Indonesia must also "take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction." Article 2(1).

[48] Under article 1(1) of the *Torture Convention*, a violation includes those acts which are "inflicted by or at the instigation of or with the consent or acquiescence of a public official or other or other person acting in an official capacity."

[49] Indonesia has subscribed to the *United Nations Standard Minimum Rules for the Treatment of Prisoners* which provides detailed guidelines in relation to punishment within the prison system. The key provision of the Rules are: "Section 30(2): No prisoner shall be punished unless he has been informed of the offence alleged against him and given a proper opportunity of presenting his defence. The competent authority shall conduct a thorough examination of the case." "Section 31: Corporal punishment by placing in a dark cell, and all cruel, inhuman or degrading punishments shall be completely prohibited as punishments for disciplinary offences."

3.1 Torture

Case 3.1.1

KORAMIL 03 Maubara forces arrested and tortured several youths on 1 January 1999. During a Christmas party in KORAMIL 03 Maubara Hall, Jose Afat, the Maubara sub-district head, got in a fight with **Martinho (no surname)**. KORAMIL members got involved and helped Jose Afat beat Martinho. Martinho's friends complained to KORAMIL that the treatment was unfair. Subsequently, the following youths, Martinho's friends, were arrested, and tortured for one hour and released: **Rosario Lay**, 26, **Tobias da Silva**, 23, farmer, **Benditu Marings**, 27, **Manuel Boavida**, 24, **Francisco Dos Santos**, 26. The five young men suffered cuts and bruises to their face and stomach.

Case 3.1.2

Carlito de Araujo, 22, from Webaba hamlet, Raimea village, Suai Covalima district was detained and tortured in Cassa village, Ainaro Kota sub-district on 2 January 1999 at 10:30 am for one week by members of Mahidin. He was on his way home from visiting his parents for a New Year's celebration when Mahidin members stopped the mikrolet, dragged him from the vehicle and tied his hands and feet together with a piece of rope. They proceeded to beat him with their shoes, fists, and rifle butts on his face, chest, and stomach. He was repeatedly beaten that morning until he had difficulty breathing because of the pain in his chest and lungs. The initial torture lasted from 10:30 am until 6:00 p.m. when the Mahidin stopped the brutalisation because they were tired. They then blindfolded Carlito and threw him into the truck of the Mahidin Commander, Cancio de Carvalho. After driving around Casa village several times the Mahidin members let Carlito out near the bank of the Sarai River, where subsequently he was tortured again in a hut near the river. He was beaten until blood was flowing out of his nose and mouth which he swallowed for strength. The torture continued until about 4:00, January 3 when Carlito went unconscious. He regained his consciousness at about 6:00 am, in the river, and his hands and feet were still bound. The Mahidin members then dragged Carlito from the river and began to try to pressure him into joining the militia. They offered 250,000 rupiah monthly as compensation, however, Carlito refused. Carlito was subsequently locked up by the head of the village, brother of Cancio de Carvalho, and militia for one week. During detention he was continually brutalised and intimidated and was only fed food resembling bird food. His wife pleaded to Indonesian security forces who refused to come to Carlito's aid or do anything else about the situation. His wife was able to visit him only three times while in detention.

Case 3.1.3

On 8 January 1999 the following seven individuals were arbitrarily detained and subjected to torture in Rainaba quarter, Gugleur village in the Maubara sub-district: **Guido Reis Ramos**, 28, Rainaba Head, **Crisanto dos Santos**, Lauvo quarter Head, 40, farmer, **Saturnino dos Santos**, 35, farmer, **Flaviano dos Santos**, 35, farmer, **Libertine dos Santos**, 28, farmer, **Abrao (no surname)**, 21, farmer, **Jose Sarmento**, 20. The individuals were detained and tortured in their homes. Guido Ramos Reis subsequently lost the use of one of his legs and is crippled.

A few of the specific perpetrators of the intimidation, torture, and detention have been identified as the following members of the Naga Merah: Graciano (no surname), 30, Vatuboro village, Maubara, Humberto (no surname), 31 Gugleur village, Maubara, Joao Loumesa, 29, Vaviquinia village, Maubara, Ilidio Riberio, 30, Vatuboro village, Maubara, Marculino, Marciano, and Mateus Conceicao.

Approximately 70 members of the local Gardapaksi militia, supported by members of Battalion 143 attacked the civilians. The victims sustained injuries from sticks and sharp weapons, such as machetes and spears wielded by the Gardapaksi members, and were also beaten and kicked. In addition, the victims houses were ransacked, and livestock such as goats and chickens was stolen.

Guido Ramos Ribeiro, head of Rainaba hamlet, was kicked and beaten by Graciano in the Raibana meeting hall, then taken to the Caicassa military post where members of the post gagged Ribeiro and beat him with a length of metal pipe and rifle butts. He sustained serious injuries to the head, hands and feet. After being released Ribeiro was hospitalised in Dili for three days.

Jose Sarmento was shot at with an arrow as he fled his house during the attack and was then caught and beaten. Sarmento was taken to the Cassa post where he was tortured before being released. His current whereabouts are unknown. Flaviano, Caicassa school headmaster, was whipped with a chain from a chainsaw on the back and head. Flaviano was then taken to the Rajawali military post in Caicassa where he was beaten and tortured further.

Libertino dos Santos, head of neighbourhood area No.1, Lauvou, was stabbed by Humberto, a Gardapaksi member. Dos Santos sustained a knife wound to the back of the head. Crisanto dos Santos, head of Lauvou hamlet, was beaten, kicked in the face and stabbed in the ear by Humberto and Mateus Conceicao. Saturnino dos Santos and Abrao were also severely beaten by Gardapaksi members.

Also during the attack, three other men, **Pedro Afonso**, 35, **Afonso (no surname)**, 20, and **Saturnino Guterres**, 35, were chased by members of Gardapaksi and threatened with death if they were caught. Others including, **Leonel de Jesus Carvalho**, **Vasco (no surname)**, **Felix (no surname)**, **Antoninho (no surname)** and **Domingos (no surname)** have also been threatened with death by members of a forty-strong militia group operating out of Vaviquinia village, Maubara district. The group belongs to the Mahidin militia, and is allegedly lead by members of Koramil 03 Maubara, Antoninho Martins and Abilio Lopes da Cruz, village management senior non-commissioned officer (Babinsa) for Vaviquinia.

As part of the same operation, **Rui Luis**, son of the village head of Maubara-Lissa village, was attacked by members of the Mahidin militia and 13 Rajawali personnel under the leadership of Joao Loumessa and Marculino. Luis is alleged to have been stabbed by Joao Loumessa and has sustained knife wounds to the back of the head. It is believed that the militia were pursuing Rui's father, Fernando Luis and another man, Carlito, brother of the Guico village head.

Case 3.1.4

On 26 January 1999, there were two cases of torture in the Maubara sub-district. Members of KORAMIL 03 Maubara entitled Serda Abilio forced Vaviquinia villagers to go to KORAMIL 03 Headquarters. Some of the villagers reported that they were threatened with arrest and torture if they did not become members of the Ratih. Also, on 26 January 1999, in a separate incident in Maubaralisa, civilians were forced to go to KORAMIL 03 Headquarters in an effort to force them into joining Ratih. The perpetrators of the intimidation were members of the Mahidin, Naga Merah, and Besi Merah Putih militias.

Case 3.1.5

Tomas Sampaio Nunes, 27, and **Felipe Tedi**, 28 were arrested on 28 January 1999 while travelling on moped on the highway in front of the KORAMIL 03 office, Maubara. The following KORAMIL 03, Gardapaksi, and Ratih members were identified as being responsible for the detention and subsequent beatings of the individuals: Marculino (no surname), Mauroque (no surname), Vitor Filipe, Samuel Soares, Marcelino Lopes, Cerna W. Meta, Francisco Lopes, Manuel (no surname), Paulino da Silva, Zeferino (no surname). The victims were released the same day, suffering bruises on the chest and face.

Case 3.1.6

Amilcar de Sousa Tavares, UNTIM student, Head of Dewan Mini DSMPTT, was beaten by members of Halilintar militia in January 1999. The victim got off a bus in Loes terminal, Atabae subdistrict when he was attacked by the following members of Halilintar: Jose Amaral, 28, Danton Halilintar, Eugino (no surname), 29, Halilintar, Felino (no surname), 32, Halilintar,

Case 3.1.7

Gustavo Manual Mota, 50, Vice-Head of DPRD II Liquica was stopped and attacked in Maubara, Liquica on 2 February 1999, at 2:00 p.m. by approximately 15 MAHITI members. The MAHITI group attacked him with stones, forcing him to leave his automobile and seek safety in the Maubara POLSEK office. The victim's car was stolen by the group and is now allegedly being driven around the city by Herman (no surname), one of the perpetrators of the stoning.

Case 3.1.8

On 11 February 1999, **Joanico Tilman Soares**, 25, from Tibar, Bazartete sub-district, Liquica, was violently attacked by members of the Besi Merah Putih near Loes River, Maubara sub-district, Liquica District. Joanico was on the Belu Exprex (inter-city bus) in Loes, Maliana sub-district when the bus was stopped at three Besi Merah Putih inspection posts in Maubara where the passengers were searched repeatedly. At the third inspection post, Joanico was ordered off the top of the bus, where he was riding. He was then kicked and punched for no apparent reason by roughly thirty members of the Besi Merah Putih. The victim was also beaten with sticks and iron bars. The beating was complete only after he was stabbed with a spear twice above his right eye causing a severe head wound and subsequent faint and collapse. A pastor on the bus apologised and pleaded with the BMP members to end the torture. After the incident the pastor and the victim complained to KODIM Liquica on arrival in Liquica, but the Dandim blamed the victim.

Case 3.1.9

Abel de Sousa Tavares, 21, SMU Kristal Dili student, **Andre Guteres**, 17, SLTP Atabae student, **Honorio (no surname)**, 16, were attacked and beaten by twelve members of the Halilintar and Besi Merah Putih who were inspecting vehicles which travelled to and from Atabae. The incident occurred while the victims were travelling in public transportation on 21 February 1999. Earlier on that same day, the same twelve perpetrators in the Atabae market beat an **unidentified student** of UNTIM Fisipol.

Case 3.1.10

On 9 March, a group of BMP militiamen came to the house of **Romana Sanches**, 14, Grade 6 Primary School, Maubara, Liquica. She lives with her father Guido Ramos Ribeiro in Maubara, Liquica District, because her father was evacuated to Dili for medical treatment, Romana was interrogated, tortured and later brought to BMP's base-camp in Maubara. She was forced to provide household services to the militiamen. Romana was detained with 3 other mothers with their respective children. The mothers were **Filomena (no surname)**, 34, with 3 children; **Pascoela dos Santos** with three children; **Imaculada (no surname)**, 28, with 2 children. The 3 women's spouses were previously tortured by the militiamen and escaped later on to Dili for medical treatment. The current location and condition of the women is unknown. The sisters from the Carmelita Order have been unable to visit them.

Case 3.1.11

On 31 March 1999, **Barito Cristao**, age 30, was beaten badly by police in Fuiloro village, just north of Los Palos. On the morning of 31 March at about 4 a.m. about 100 police were reported to have entered the village. Barito Cristao was playing cards with a group of friends when the police began to question them. Shortly thereafter, without reason or warning the police began to beat Barito Cristao with their rifle butts and pistols. His chest and shoulders were bruised badly, and he was badly slashed on the left side, and the left side of his forehead was bruised. He was hospitalised afterward at Motael Clinic.

Case 3.1.12

On 4 April at 7.00am with provocation and a shooting attack on civilians from the militia group, Besi Merah Putih and supported by the military, in the Hamlet of Fatubelete, the village of Vatuvou, sub-district of Maurara and Mauboke border between Maubara and Liquica. This attack left eight people with severe injuries and unconfirmed reports of deaths. **Manuel Flores**, 23, a farmer from Liquica District sustained injuries to both knees with the possibility of severed nerves in the knee. **Tomas de Jesus**, 27, farmer from Fatu Kesi village, was injured in the lower abdomen and has bladder damage. **Francisco Xavier**, 31 from Vatuvou village, Maubara sub-district has sustained abdominal and intestinal damage from stabbing wounds from a long sword. **Jaimito dos Santos**, 20, farmer from Hatuquesi village, Liquica sub-district has injuries to his left leg and his right hand has been broken. All four men are seeking operations in the government hospital in Dili. **Jose Cerlio dos Santos**, 17 student of Kristal High School was shot and has injuries to his left leg. **Manuel Caldiera**, 27 member of transmigration community in Hamlet Faularan, sub-district of Maubara was shot in the left hand, and Joao da Silva Alexio suffered from a broken left hand. **Paulina de Jesus**, 23 year old farmer from Liquica was carrying a three month old baby, when injured. She had her back and eyelids sliced with a machete. These people are receiving treatment at a Catholic Policlinic in Dili. **Crisanto Oliveira** was tortured by members of KODIM.[50]

Case 3.1.13

An ETHRC source has confirmed that on 9 April, 5 students in the Suai district, **Natalino de Jesus**, 24, **Cosme Freitas**, 23, **Victor Gomes**, 22, **Marcel (Doni) (no surname)**, from Ambon, **Abrao do Nacimento**, 25, who were attending UNTIM, were attacked and severely beaten with fists, blocks of wood and rifle butts by members of the Laksaur Merah Putih and Mahidin militia. The students were attending a compulsory social work project as part of their training. The militias were conducting an operation throughout Zumalai sub-district to Beko village in the Suai district when this incident occurred. Two of the militias who attacked the students have been identified as Lino Lopes and Jaime. It is believed that all of the students, except Marcel, were attacked because of their political activities at UNTIM.[51] The four students were members of the Solidarity Council of Students of the University of East Timor (see case 1.1.21 for deaths at the incident).

Case 3.1.14

Cesar Xavier Pinto, 33, male, from Lacluta Dilor District was arrested, and tortured on 16 April by members of 59/75 militia in Lacluta Dilor. He was arrested in his house and subsequently brought to a militia post in district command headquarters in Viqueque. There he was tortured. ETHRC sources indicate that his family has confirmed that Cesar suffered from severe beatings, resulting in all four of his limbs being broken.

Case 3.1.15

In Bobonaro, between 15 and 17 April members of Halilintar militia terrorised civilians and destroyed property in the hamlet of Ailoklaran-Lores, village Aidabalete, sub-district of Atabe, Bobonaro district. Four victims of the violence have been identified. **Jose Guterres**, 35, a teacher at the elementary school in the hamlet of Ailoklaran-Lores sustained severe injuries when he was slashed with a machete on his right shoulder and stabbed in the stomach with a knife. **Jose Gonzales**, 40, headmaster of the public elementary school in Ailoklaran-Lores, was beaten, kicked and punched with blocks of wood and rifle butts. As a result of the beating, many of his teeth fell out and he was unable to eat or drink. **Lino Leite**, 34, from the hamlet of Ailoklaran-Lores, a civil servant at the Bobonaro Office of Social Work was also beaten with blocks of wood and rifle butts. He had his house destroyed and motorcycle stolen. **Anastacio (no surname)**, 30, the owner of a small kiosk in the hamlet of Ailoklaran-Lores, was beaten and punched with rifle butts. The militia looted all of the goods in the kiosk. It is believed these victims were targets of violence because they were suspected of supplying Falintil with information and medicine.[52]

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[50] ETHRC UA 299

[51] ETHRC UA 499

Case 3.1.16

On 21 April 1999, nine civilians were arbitrarily detained and tortured in Hera village by the following members of the military, police, and militia: Domingos Martins, Metinaro KORAMIL member, Mateus de Carvalho, former head of Hera village, and Jose Dias, SGI member and militia member. Before the attacks the militia left a letter in Hera Polytechnic Campus announcing the upcoming attack. Preceding the attack, the perpetrators met at Mateus de Carvalho's home.

The following individuals all experienced similar treatment by the perpetrators. They were initially beaten then brought to the local police station, or army post, then moved to the Hera police headquarters. At all stages of detention they were beaten, sometimes with rifle butts. They were also beaten in custody at the police station. They were then brought to the following places: Becora Prison, Dili Police station for 24 hours, East Timor Central Police Headquarters (POLDA) and detained for another 24 hours.

Joao Filomeno Vaz, 23, student from Hera Polytechnic, from Quelicai, Baucau was captured near his home at Jalan Raya Hera street. He was released on 23 April. **Adriano Gusmao Vaz**, 23, male, Hera Polytechnic student from Quelicai, Bacau. He was initially captured at the Hera fish pier. Adriano was released from POLDA on 23 April. **Evangelino Soares**, 28, UNTIM agriculture student from Quelicai, Baucau. He was released from POLDA on 23 April. **Santiago Ximenes Vaz**, 21, fisherman from Quelicai; captured at Hera Fish Pier. He was released on 23 April from POLDA. **Paulino Gama**, Hera Fish Pier official, initially caught at the pier. He was released on 23 April.

The following individuals were also captured in the same incident: **Luis Diaz**, 59, male from Metinaro district, **Joao (no surname)**, 25, from Suhu Liurai village, **Remexio (no surname)**, Aileu District, **Antonio (no surname)**, 21, living in Desa Camea in East Dili district. No further information about them is available at this stage. (see also Case 2.1.24).

Case 3.1.17

In May, **Nicolau Moniz**, teacher, and **Jose Gouveia Leite**, teacher, of Molop village, Bobonaro subdistrict, Bobonaro were arrested in their homes. They were subsequently brought to Lolotoe subdistrict and tortured, and were not allowed to leave for two weeks from the KORAMIL Lolotoe. Subsequently they received treatment from Francisco (no surname) a nurse in Guda village.

Cases 3.1.18 – 3.1.37 see Appendix A

3.2 Rape and Sexual Abuse

In the period covered by this report, the ETHRC received 3 reports of East Timorese women being raped and 14 cases of other types of sexual abuse perpetrated by the Indonesian military and militias they support. Rape is much more widespread than the small number of cases documented would indicate. This is because information about rape is particularly difficult to obtain as East Timorese women are reluctant to speak about their experiences of being raped. Women will typically not report the abuse, nor seek medical treatment because they are ashamed and fear they will only receive more abuse upon reporting the incident.[53]

Case 3.2.1

Maria Fatima, 29, home-maker from Maubaralisa village, Maubara sub-district, Liquica District was raped on 11 February 1999, around 12:00 p.m. by Mariano Lacubau, a member of the Besi Merah Putih. At around 11:45, Mariano came to Maria Fatima's home asking where her husband was, and then asking for water. When she left her room to get some water for Mariano, she discovered that he had already broken into her home and was right outside the entrance to her room. After drinking the water, Mariano Lacubau tried to force Maria Fatima onto the divan, and only after the victim repeatedly screamed for her husband, did Mariano Lacubau stop the attack and go away.

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[52] ETHRC UA 499

[53] *See generally* Miranda E. Sissons, *From One Day to Another: Violations of Women's Reproductive and Sexual Rights in East Timor* (East Timor Human Rights Centre, 1997).

About five minutes later Mariano Lacubao returned half-naked with his trousers down wielding a machete. He threatened Maria Fatima with death if she screamed. Mariano then proceeded to rape Maria Fatima. Her underwear was ripped off by Mariano Lacubau, who raped Maria Fatima while she was standing.

Her husband, Cesario, returned and insisted that the rape be reported to the head of the Besi Merah Putih, Jose Dasi, 50 from Maubara. They reported the rape and Jose Dasi promised the problem would be resolved. Jose Dasi summoned Maria Fatima and her husband Cesario to the Besi Merah Putih post on 12 February 1999. Upon arrival Maria Fatima and her husband Cesario were attacked and tortured by members of the Besi Merah Putih. The two victims were subjected to torture using sharp weapons, such as machetes and iron bars. The ears and mouth of **Cesario** were bleeding heavily as a result of the attack. The following were the perpetrators of the attack: Mariano Locubau, the rapist, from Maubaralisa village; Domingas, wife of Mariano Locubau from Maubaralisa village; Olandino Locubau, father of the rapist from Maubaralisa; Domingos Goncalves, from Vaviquinia village; Fernando Sousa from Maubaralisa; Denis (no surname), from Maubaralisa; Fernando (no surname) from Vaviquinia; Berdnado (Maunado) from Maubaralisa; Germando (no surname) from Maubaralisa; Maulino (no surname) from Maubaralisa; Roke (no surname) from Maubaralisa; Paul (no surname) from Maubaralisa.

Case 3.2.2

Marta Fatima, Ivonia Ribeiro, Virginia Sarmento, Ermelinda da Conceicao, Genoveva (no surname), Agusta (no surname), Justina Santa, Etelvina Ribeiro, Gracilda Varela, and **Teresa Varela** were arrested between 17 and 18 May because their husbands were accused of joining the East Timorese resistance movement after the 5-6 April 1999 Liquica Massacre (see case 1.1.14).[54] Anita Lemos and Elvira (no surname) were arrested on 31 May 1999 at Ulmera village. It is believed that the head of the village of Ulmera, Paustino (no surname) gave orders to arrest the women.

According to reliable ETHRC sources, the twelve women have been detained and subject to continued forced labour from the Indonesian Armed Forces backed militia group entitled Besi Merah Putih (BMP). Amnesty International has also been informed that the women have apparently been subject to sexual abuse. All twelve women were held hostage at the houses of two teachers, Geraldo Ribeiro and Manuel Soares, who are brothers. The ETHRC also received unconfirmed reports of the women's 24 children were also being held hostage. The BMP stated that the women had to present their husbands to the BMP by 4 June 1999, or they would be killed. According to recent reports, all 12 women were released from custody in June 1999.

Case 3.2.3

Marcelina Corte Real, 20, and **Rosa da Costa**, 19, were subject to an attempted rape by members of the militias and ABRI on 14 April 1999 in Tilomar subdistrict, Covalima. Olivio Mendonca, a local militia commander arrived during the attempted rape and stopped the perpetrators.

Case 3.2.4

On 15 May 1999, a woman (name intentionally omitted), 22, six months pregnant, from Ermera was taken from her home then raped and beaten by 15 men. The men put a gun in her mouth and beat her. The men included 10 members of the BMP militia and 5 members of the Indonesian army, including a commander named C. Lucas.

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[54] ETHRC UA 7/99

Case 3.2.5

On 27 June 1999, **Mrs. Mar**, 42, was raped by Victor Pedroso Borges, a primary school teacher and commander of Darah Marah Integrasi militia. Her husband has been in hiding in Dili.

3.3 Systematic Destruction of Property and Persecution

There is a consistent trend of systematic destruction of houses and other property of the East Timorese. The attacks on homes follow a similar pattern in which the individuals and families are in the houses when the attack begins and personal attacks on the people and destruction of property then follows. These attacks then lead to an increasing number of Internally Displaced Persons (IDPs) because the residents have nowhere to live, and no personal property from which to earn a living. As a UN Charter member, Indonesia must abide by the Universal Declaration of Human Rights, including article 17 which states "No one shall be arbitrarily deprived of his property." Article 25 of the UDHR also obligates Indonesia to ensure "everyone has a right to a standard of living adequate for the health and well-being of himself and his family." Although the problem of destruction of property accompanied by persecution is serious, the documented cases are only listed in *Appendix C: Property Destruction*. The victims of property destruction listed in the appendix had their homes destroyed. The number of documented cases is a only a minimal portion of the estimated cases perpetrated. The majority of those documented in the property Appendix C were accompanied by other reported human rights violations documented in other sections of this report.

4. Violations of the Right to Due Process

4.1 Breaches of Procedural Guarantees

East Timorese are frequently denied their right to due process during arrest as well as after arrest. Under Article 18 of KUHAP, there are several procedural guarantees that have been ignored in East Timor. First, the sole responsibility for arrest and detention of criminals is given to police. Second, suspects must be provided a warrant for arrest within 24 hours of arrest, unless they are caught in the act of the crime. Also, duress may not be used to obtain information under article 17 of KUHAP. The Indonesian military, police and militias they back have broken these procedural guarantees in a substantial number of documented cases detailed in this report.

International standards require that "No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law."[55] In the majority of documented cases, the Indonesian army and the militias they support do not abide by the Indonesian Criminal Procedure Code. Because procedural guarantees are broken in nearly all other cases documented in this report, they are not separately documented in this section.

5. Violations of Freedom of Expression and Association

In the first half of 1999, the Indonesian military and the militias they support have conducted a number of operations involving the arbitrary arrest and detention of civilians suspected of being supporters of independence. In each case the motivation for these arrests has been political. The military and militias have tried to forcefully discourage East Timor's independence, and to crack down on those suspected of involvement in the independence movement. This trend is seen in the latest wave of persecution and intimidation of civilians, especially in Maliana, Suai and Liquica.

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[55] Article 9(1), International Covenant on Civil and Political Rights, 16 December 1966.

As a UN member, Indonesia must uphold basic human rights principles of the Universal Declaration of Human Rights (UDHR). Under the UDHR, "Everyone has the right of freedom of peaceful assembly and association."[56]

The violations of freedom of expression and association have not been documented separately as the cases also involve executions, torture, arbitrary detention and other violations. Many of the arbitrary detentions, tortures, and executions that are documented occur because the victims are suspected of being supporters of independence.

6. Unreported Cases - 1998

6.1 Extrajudicial Execution

Case 6.1.1

Romeo Atisuri, 22, from Bilimau, Miligo village, a married farmer, was killed on 12 December 1998. He was killed by Joao Tavares, with members of SGI, BTT, and Halilintar, including Feliciano Maubere, and Francisco Viegas. He was initially arrested by the SGI, BTT, and Halilintar on 10 December 1998 at 9:30 am in Gaulolo village, Sumiuba hamlet for being a suspected supporter of Falintil. He was forcefully brought to the forest to find the whereabouts of the Falintil. He was tied and tortured on the journey and until his death on 12 December 1998 at Nunudoe hamlet, between Atudare village and Meligo Atas.

6.2 Torture

Case 6.2.1

On 27 December 1998 the people of Maubara sub-district were terrorised and intimidated by members of the Gardapaksi assisted by the KORAMIL 03 Maubara and BTT 143. On 27 December 1998, **Lucas Maria dos Santos**, **Agosto Nunes**, 26, **Domingos Fontes**, 22, **Saturnino Alves**, 19 were allegedly detained, tortured and subsequently released by the groups named above. About four hours afterward about 40 members of the Gardapaksi protected by BTT 143 went from house to house in Vatuboro village threatening inhabitants, and attacking and burning houses.

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[56] Article 20, UDHR, op. cit.

Appendix A: Other Violations

Violation Abbreviation Key:
EJE - Extrajudicial Execution; AEJE - Attempted Extrajudicial Execution; AD - Arbitrary Detention; ED - Enforced Disappearance; TORT - Torture

Case	***Name, age***	***Residence***	***Date***	***Violation Location***	***Perpetrators***	***Violation***	***Details***
1.1.33	Joao Marques, 41	Lour village	10-Jan-99	Lour village, Bobonaro	local villagers	EJE	Beaten to death with sticks and rocks.
1.1.34	Abel Martins, 61	Faturase village, Aidabalete sub-district	Jan-99		Halilintar members and the SGI	EJE	Halilintar and SGI were guarding suspected Falintil supporter, Jorge Maia, house. When Abel Martins lit his torch inside he was shot.
1.1.35	Joanico Bianco, 35	Maununu village	5-Mar-99			EJE	Also tortured.
1.1.36	Jeronimo Amaral, 18, Jose de Andrade dos Santos		20-Mar-99	Lacluta, Viqueque.	militia and Makikit	EJE	Combined force of unknown militia and Makikit.
1.1.37	Mariano Placido		25-Mar-99	Viqueque	Viqueque militia	EJE	Killed because his father was suspected of being a Falintil supporter, he was also tortured.
1.1.38	Mau Terca (no surname), 22	Vatuvou village	5-Apr-99	Vatuvou village	Maubara BMP	EJE	Dead body eaten by dogs.
1.1.39	Henrique Borges		5-Apr-99		BMP Bazartete (Afonso de Jesus, Zacarias Correia), and Liquica KODIM (Domingos Mendes)	EJE	
1.1.40	Agusto Campus, 30	Hatuquesi village	10-Apr-99		Maubara BMP, led by Sebastiao of Manhuga hamlet	EJE	
1.1.41	Julio Amaral, 5	Beobe village, Viqueque	11-Apr-99	Beobe village, Viqueque	59/75 Junior Militia	EJE	The militia ran him over while he and his parents (Lourenca and Francisco Amaral) were fleeing from a militia attack.
1.1.42	Agusto dos Santos	Hatuquesi village	12-Apr-99	Maubara, Kamalehoru hamlet, Dato village	BMP	EJE	Killed at city beach.
1.1.43	Domingos (no surname)	Leotala village, Liquica	12-Apr-99	Mauboque, Kamalehoru hamlet, Dato village	BMP	EJE	
1.1.44	Agapito Soares, 20, Uma-Uahi, Baixo; Martinho de Carvalho, 25, SMA student, Bafoloikai, Uatolari		19-Apr-99	Viqueque	KODIM 1630 in Viqueque, Gilberto (no surname)	EJE	
1.1.45	Lamberto da Silva	Lospalos	22-Apr-99	Lospalos	Kopassus, or Alpha Team of Jati Merah Putih	EJE	He was a known supporter of CNRT.
1.1.46	Martinho (no surname), 27	Uatulari District	23-Apr-99	Uatulari District, border of Viqueque and Rataku	59/75 Junior Militia	EJE	Stopped by militia members while driving, and then beaten, stoned, and stabbed to death.
1.1.47	Agapito Galcasio, 28	Monumento village, Viqueque	24-Apr-99	Monumento village	59/75 Junior Militia	EJE	Militia shot him in his home; he was buried by family.
1.1.48	Andre dos Santos	Vatuvou village	26-Apr-99	Vatuvou village office	BMP	EJE	Taken from Manuel Terasi's home, killed at office.
1.1.49	Elias Alves Correia		Apr-99		BMP	EJE	Also tortured.
1.1.50	Tobias dos Santos	Loidahar village	Apr-99	Ebeno	BMP	EJE	
1.1.51	Victor (no surname)	Ediri, Vatuvou	Apr-99		BMP members: Manuel Felipe, Victor Felipe, Haji Duarte Dahalanng	EJE	Injured in Mauboke and killed in Ediri.

1.1.52	Pedro (no surname), 28; Agusto (no surname), 40	Bazartete	2-May-99	Bazartete, Liquica	BMP, BTT 143 members	EJE	Victims were arrested on 1 May, brought to KOPASSUS base camp, and found dead the next day.
1.1.53	Antonio Piedade, 38	Samalete village, Railaco, Ermera	3-May-99	Hatolia	KORAMIL Railaco, and members of KODIM Ermera	EJE	Unconfirmed report
1.1.54	Eugenio Antonio Fatima, 29	Bemori	9-May-99	Acadiru Hun neighbourhood and Mercado Lama, Dili	Besi Merah Putih and Aitarak	EJE	UNTIM Student; others were injured in the attack see case 1.2.6
1.1.55	Floriano (no surname), 40 Domingos (no surname), 28 Antonio (no surname), 20 Sebastiao (no surname), 18 Armindo (no surname), 15	Fatobosu village, Hatolia	10-May-99	Fatobosu village	Pancasila and Hatolia military members	EJE	All shot dead by perpetrators.
1.1.56	Moises Salsinha, 34	Ponilala village, Ermera	10-May-99	Ponilala village	BTT 143, SGI, Darah Merah, BMP, KODIM 1637	EJE	Unconfirmed report
1.1.57	Natalino dos Santos, 23	Ponilala village	10-May-99	Ponilala village	BTT 143, SGI, Darah Merah, BMP, KODIM 1638	EJE	Unconfirmed report
1.1.58	Sebastiao da Silva, 26	Fatubou village, Hatolia, Ermera	10-May-99	Ponilala village	BTT 143, SGI, Darah Merah, BMP, KODIM 1639	EJE	Unconfirmed report
1.1.59	Abrao (no surname)	Fatubou village	10-May-99	Ponilala village	BTT 143, SGI, Darah Merah, BMP, KODIM 1640	EJE	Unconfirmed report
1.1.60	Luis Madeira, 36	Subo village, Hatolia, Ermera	10-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1641	EJE	Unconfirmed report
1.1.61	Albino da Costa, 35	Subo village	10-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1642	EJE	Unconfirmed report
1.1.62	Constancio Soares, 25	Subo village	10-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1643	EJE	Unconfirmed report
1.1.63	Luis Birati, 50	Subo village	10-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1644	EJE	Unconfirmed report
1.1.64	Mateus Tilman, 24	Legomea, Ermera sub-district, Ermera	10-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1645	EJE	Unconfirmed report
1.1.65	Helder Sequeira Martins, 25	Legomea	10-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1646	EJE	Unconfirmed report
1.1.66	Filipe dos Santos, 20	Legomea	10-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1647	EJE	Unconfirmed report
1.1.67	Elias (no surname), 17	Legomea	10-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1648	EJE	Unconfirmed report
1.1.68	Floriano de Araujo, 40	Legomea	10-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1649	EJE	Unconfirmed report
1.1.69	Antonio Brites, 42	Fatubou village, Hatolia, Ermera	10-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1650	EJE	Unconfirmed report
1.1.70	Agostinho (no surname), 18	Fatubou village	10-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1651	EJE	Unconfirmed report
1.1.71	Martinho (no surname), 22	Fatubou village	10-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1652	EJE	Unconfirmed report
1.1.72	Graciano Boromeu, 58	Poerema village, Ermera	10-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1653	EJE	Unconfirmed report

1.1.73	Agostinho Soares, 24	Poerema village	10-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1654	EJE	Unconfirmed report
1.1.74	Silverio Soares, 27	Poerema village	10-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1655	EJE	Unconfirmed report
1.1.75	Sebastiao Soares, 22	Fatubou village	11-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1656	EJE	Unconfirmed report
1.1.76	Belarmino Alves, 55	Leimea Craik village, Hatolia, Ermera	13-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1657	EJE	Unconfirmed report
1.1.77	Natalio Babo, 19	Ponilala village, Ermera	17-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1658	EJE	Unconfirmed report
1.1.78	Sabino da Luz, 32	Ailelo, Hatolia, Ermera	23-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1659	EJE	Unconfirmed report
1.1.79	Barnabe Martins, 30	Legomea	23-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1660	EJE	Unconfirmed report
1.1.80	Antonio de Deus, 36	Leimea Craik village, Hatolia, Ermera	25-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1661	EJE	Unconfirmed report
1.1.81	Calistro Goncalves, 18	Leimea Craik village	25-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1662	EJE	Unconfirmed report
1.1.82	Armando dos Reis, 17	Leimea Craik village	25-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1663	EJE	Unconfirmed report
1.1.83	Domingos Martins, 24	Manasae village, Hatolia	25-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1664	EJE	Unconfirmed report
1.1.84	Ismael dos Santos, 66	Fatubou village	25-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1665	EJE	Unconfirmed report
1.1.85	Venancio Soares, 28	Poerema village, Ermera	25-May-99	Hatolia	BTT 143, SGI, Darah Merah, BMP, KODIM 1666	EJE	Unconfirmed report
1.1.86	Duarte dos Santos	Guico village, Liquica	May-99		BMP	EJE	
1.1.87	Lamberto da Costa Amaral, 43	Hatuquesi village	5-Jun-99		BMP	EJE	
1.1.88	Amandio Cesar dos Santos, 32	Hatuquesi village	17-Jun-99		Ebeno BTT members	EJE	
1.1.89	Silvano dos Santos	Guico village, Liquica		Guico village	BMP	EJE	
1.1.90	Sabino (no surname), 17	Caicassa-vou hamlet		Guico village	KORAMIL 03, BMP Maubara	EJE	Shot to death.
1.1.91	Silvano Cardoso, 35	Pande-vou hamlet		Guico village	KORAMIL 03, BMP Maubara	EJE	Shot to death.
1.1.92	Antonio Soares, 45	Pande-vou hamlet		Guico village	KORAMIL 03, BMP Maubara	EJE	Shot to death.
1.1.93	Eduardo (no surname), 16	Irlelo hamlet		Guico village	KORAMIL 03, BMP Maubara	EJE	Shot to death.
1.1.94	Mau Buca, 40	Caicassa-vou hamlet		Guico village	KORAMIL 03, BMP Maubara	EJE	Shot to death.
1.2.8	Julio da Costa, 36, village head	Metiaut village	28-Feb-99	Metiaut village, East Dili sub-district	Aitarak militia under the leadership of Eurico Guterres	AEJE	Shot in the stomach during the attack while standing in front of his home.
1.2.9	Regina Belo, 27, Alberto Mendes, 27,	Dili	18-Mar-99	Becora, East Dili	ABRI	AEJE	Military shot at these 2 and others while driving in 9 trucks on the way to a funeral.

1.2.10	Mateus Afonso de Jesus, 28 Lucia da Cunha dos Santos, 17, Carlito da Cunha dos Santos, 30, Ismenia Imaculada da Silva, 13 Nacisio Damiano dos Santos, 18 Belandina de Jesus, 15		19-Mar-99	Maliubu hamlet, Ritabou village, Maliana District	Maliana Halilintar, led by Joao Tavares, and the Indonesian Army	AEJE	See case 1.1.11 for details, they all suffered serious gunshot wounds
1.2.11	Abel Azis, 20, farmer, Bernardo Verdial, 20, farmer, Agusto Cardoso, 35, government employee	Sukar Laran & Transmigration area of Salele, Tilomar sub-district	26-Mar-99	Suai	Laksaur Merah Putih	AEJE	Shot and severely wounded.
1.2.12	Antonio Alfredo Moniz	Manatuto	15-Apr-99	BTT Manatuto	BTT	AEJE	
1.2.13	Lucio Francisco Alves		10-May-99	Covalima village	unknown	AEJE	Shot and subsequently treated at Motael Clinic
1.2.14	Armando (no surname), 30,	Uma-Tolo village, Viqueque	13-May-99	Luca village, Viqueque	Viqueque military, 59/75 Junior militia, Raimundo Soares (KORAMIL Dilor 05), Filipe Parade, Marcelino Soares, Afonso Soares (KORAMIL 05), Rogerio Carvalho, Miquel Amaral, Julio Amaral, Joao Caleres	AEJE	Suffered from gunshot injury.
2.1.32	Loro Ana, 30, farmer Manuel dos Santos, 22.	Vatu Boro	6-Jan-99	Maubara	KORAMIL 03, Gardapaksi, Naga Merah, BMP	AD	Also tortured.
2.1.33	Domingos Baptista, 24 Venancio Sarmento, 19 Celestino do Rego, 20 Antonio Soares, 23 Domingos Marques, 37 Luis Soares, 35 Vasco Ximenes, 25		20-Mar-99	Viqueque city, Viqueque	Ratih, Makikit	AD	Arrested, tortured , brought to KODIM Viqueque.
2.1.34	Agapito Gomes, 35	Fatuleto village, Zumulai	21-Mar-99	Zulo village, Zumulai	Mahidin, led by Cancio Lopes de Carvalho	AD	Arrested during Mahidin operation, brought to Cassa village Mahidin.
2.1.35	Atanasio Magno, 30	Zulo village, Zumulai	21-Mar-99	Zulo village, Zumulai	Mahidin, BTT 143	AD	Arrested during Mahidin operation with BTT 143 troops.
2.1.36	Rui (no surname), 35	Fatu village, Zumulai	21-Mar-99	Zulo village, Zumulai	Mahidin, BTT 144	AD	Arrested during Mahidin operation with BTT 143 troops.
2.1.37	Matias dos Reis, 27	Beco II village, Zumulai	22-Mar-99	Beilaku transmigration area Zumulai	Mahidin, including Guilherme Alves and Agostinho Sequeira	AD	Arrested, bound at hands & feet, brought to Cassa village.
2.1.38	Luis Soares, 40	Raimea village, Zumulai	22-Mar-99	Beilaku transmigration area	Mahidin, including Guilherme Alves and Agostinho Sequeira	AD	Arrested, bound at hands & feet, brought to Cassa village.
2.1.39	Jose Ribeiro, 25	Lour village, Zumualai	22-Mar-99	Zumalai	Mahidin	AD	Arrested while setting up tent.
2.1.40	Alarico Alves, 20	Raimea village, Zumulai	22-Mar-99	Zumulai	Mahidin	AD	Arrested and brought to KORAMIL Headquarters.
2.1.41	Leonito (no surname), 27	Culo Oan, Beco II village, Zumulai	22-Mar-99	Zumulai	Mahidin	AD	Arrested on way to Culo Oan and kicked and beaten with rifles.

2.1.42	Lucas de Araujo, 25	Ritabou village	23-Mar-99	Maliana	KODIM Maliana members	AD	Also tortured.
2.1.43	Candido Dasi Mau, 58	Ritabou village	23-Mar-99	Maliana	KODIM Maliana members	AD	Also tortured.
2.1.44	Jose Loco Leto, 18	Ritabou village	23-Mar-99	Maliana	KODIM Maliana members	AD	Also tortured.
2.1.45	Aquelino Mateus Guterres, 24	Gariuai, Baucau	16-Apr-99	Manatutu	unknown	AD	
2.1.46	Antonio Barbosa		17-Apr-99			AD	Arrested at his home; current whereabouts unknown.
2.1.47	Jeremy da Costa		19-Apr-99	Becora, Dili KORAMIL		AD	Beaten while being arrested, current location unknown.
2.1.48	Alito Soares, 30	Beaco hamlet, Beaco village, Beaco District, Viqueque	22-Apr-99	Beaco village	Darah Merah militia	AD	His current location and condition is unknown, however, he was originally taken to Darah Merah headquarters in Beoba village, Viqueque. The militia arrested Alito during a large scale arrest and intimidation campaign
2.1.49	Jorge Joao, 24 Virgilio Ribeiro, 23	Gada-Rato, Uatolia, Venilale	24-Apr-99	Baucau District	KODIM 1628 in Baucau	AD	
2.1.50	Tobias da Costa, 28	Buro-Uma, Buro-Uma	26-Apr-99		KODIM 1628 in Baucau	AD	
2.1.51	Sabino Marques, 28 Armando da Costa, 25	Darasula, Gariuai, Baucau	27-Apr-99	KORAMIL post	BRIMOP	AD	Also subject to severe beating in detention.
2.1.52	Justino da Costa, 23 Abel da Costa, 19 Domingos da Costa, 17	Hato-Udo	2-May-99	Hato-Udo, Ainaro	Mahidin, lead by Sabino de Oliveira	AD	Arrested and brought to Beikala village, they were subsequently forced to join the militia.
2.1.53	Sr. Valenti, Manatuto Parliament	Manatuto	2-May-99	Manatuto	SGI	AD	Kidnapped by militiamen named Mahdomi and Morok using the Manatuto Regent's car, and tortured in unknown place and later released.
2.1.54	Zaulino Alves, Soibada Administrator	Manatuto	3-May-99	Manatuto	SGI	AD	Kidnapped by militiamen named Mahdomi and Morok using the Manatuto Regent's car, and tortured in unknown place and later released.
2.1.55	Joao da Costa	Manatuto	13-May-99	Manatuto	SGI and militia	AD	Also tortured.
2.1.56	Paulino Alito Soares	Sau village, Manatuto	14-May-99	Manatuto		AD	Also tortured.
2.1.57	Jacobs Martins Reis Fernandes, head of Hatiola sub-district		17-May-99	Hatiola sub-district, Ermera District	unknown	AD	He was subsequently released. Before this, Mr. Fernandes went into hiding in April 1999 after an attempt on his life by the paramilitaries. He was accused of supporting Falintil after publicly criticising the killing of displaced people in East Timor.
2.2.11	Domingos Arbeka, 28	Vaviquinia village, Labumeta	26-Jan-99	BTT 143 Post	military	ED	The location of Domingos Arbeka is currently unknown, however, locals of Babiquin believe he was killed.
2.2.12	Marcal da Silva Belo, Angelo da Silva Freitas, Abrao da Costa Belo, Aquilis Ximines, Mariano (no surname)	Baucau District	14-Feb-99	Baucau District	unknown	ED	
2.2.13	Armindo Lokomau, 26	Morobu hamlet, Bobonaro	21-Mar-99	KODIM Bobonaro	military	ED	He was abducted while walking past KODIM headquarters and released in early April.
2.2.14	Mario (no surname), 27		23-Apr	Railaco village	unknown militia	ED	The militia members were driving in three Kijangs. Mario is the brother of Samaleten village Head
2.2.15	Borges Tilman, 17, Alarico Perreira, 50	Bazartete	1-May-99	Bazartete, Liquica	BMP, BTT 143 members	ED	Brought to KOPASSUS base camp.
2.2.16	Domingos Pires, 28,	Leorema, Bazartete	1-May-99	Bazartete, Liquica	BMP, led by Miguel Metan	ED	Whereabouts currently unknown.

3.1.18	Celestino da Silva Pereira, 19, from Manutasi village; Ermenegildo Barros, 20, Manutasi; Marcos de Andrade, 23, from Soro village; Domingos de Andrade, 20, Soro village; Alipio Monteiro; Asiri Mario Dutel Ferreira, 20, Soro village; Armindo Araujo, 20 Jaimito da Costa, 24, Manutasi village, Ainaro		3-Jan-99	Manutasi village	Mahidin	TORT	See case 1.1.1 for details.
3.1.19	Maria A. Salsinha, 32	Lete Foho village, Ermera sub-district	6-Jan-99		Serka Antonio dos Santos, Lete Foho village Head	TORT	
3.1.20	Tomas da Costa, 31	Central hamlet, Lospalos, Lautem district	7-Jan-99	Laru Ada hamlet, Lospalos town	three members of the Laru Ada KOPASSUS	TORT	Beaten with pistol.
3.1.21	Julio Alves, 25, farmer	Loes	9-Jan-99	BTT 143 post 03		TORT	Arrested in Loes and brought to BTT 143 post 03. He was reported to have been tortured at BTT 143 Post 03, and sustained cuts and bruises to his chest and face. He was subsequently released.
3.1.22	Manuel Pinto, 35, farmer; wife Isabel		10-Jan-99	Loes transmigration area	Gadapksi, Naga Merah, and Besi Merah Putih	TORT	Attacked and tortured, and suffered severe bruising.
3.1.23	Rui da Silva, 25, Mikrolet Driver		14-Jan-99		eight Mahidin members, including Joao Loumesa, who struck Rui da Silva with. machete	TORT	Beaten in his home. He was struck with a Machete on the head and suffered severe injuries.
3.1.24	Honorio do Santos, 40, driver Paulino Alfonso	Guico village, Liquica	27-Jan-99	Guico village, Liquica and BTT 143 Post	Indonesian security forces and Ratih members	TORT	Arrested then beaten and released two days later.
3.1.25	Jose Sarmento	Lavu, Gugleur village, Maubara sub-district	5-Feb-99	Lavu, Gugleur village, Maubara sub-district	BTT 143 Maubara	TORT	Several other unidentified youths may have been arrested at the same time.
3.1.26	Domingos de Oliveira		18-Feb-99	Guico village transmigration area, Liquica	Besi Merah Putih	TORT	Severely beaten by members of the BMP and suffered stab wounds to the head, leg, and arm.
3.1.27	Marcelino de Araujo, 23		9-Mar-99	Beikala village, Hato-Udo, Ainaro	Mahidin militia	TORT	Arrested and beaten with wood until he vomited blood for refusing to join Mahidin.
3.1.28	Florindo Afonso, 25 Joaquim Afonso, 24 Vicente Joao, 27		16-Mar-99	Loes village, Maubara, Liquica	Halilintar led by Joao da Silva Tavares, and BMP led by Manuel de Sousa	TORT	Stopped near Loes bridge and stabbed with spears and robbed of 100,000 Rp.
3.1.29	Abelino (no surname), 22	Cassa village, Ainaro	21-Mar-99		Mahidin	TORT	Bus conductor arrested by Mahidin during identification check, detained and subjected to brutal torture.
3.1.30	Armando da Silva, 30	Cassa village, Ainaro	21-Mar-99	Cassa village	Mahidin Cassa	TORT	Apprehended by Mahidin and tortured unconscious.
3.1.31	Natalino Alves, 19	Tudolpo, Beco village, Zumulai	23-Mar-99	Zumulai	Mahidin	TORT	Arrested on LITHA Mikrolet to Baru village, beaten, kicked and burnt with cigarettes.

3.1.32	Jorge Soares, 24		23-Apr-99	Pasar Baru, Baucau	Baucau Police District officers	TORT	He was charged with being a perpetrator of a kidnapping a member of TNI at Bucoli.The victim was last known to be held at Baucau Police Headquarters.
3.1.33	Ilario da Costa Barreto, 43 Eugenio da Costa, 23	Manumera, Turiscai, Same	14-Apr-99	Manumera	unknown	TORT	Subjected to electric shock torture and other brutal beatings.
3.1.34	Jose Fatima Xavier		14-Apr-99	Tilomar subdistrict, Covalima	Laksaur Merah Putih and ABRI members in Maudemo village	TORT	He was captured, tied up with plastic bag over his head, and beaten by roughly 30 people, and suffered knife wounds to his mouth. Money and other property were taken from him. He was subsequently released.
3.1.35	Raimundo Amaral, 40	Ossu Sub-district, Viqueque	24-Apr-99	Ossu Sub-district, Viqueque	BTT 131 Garuda Hitam	TORT	BTT members attacked the house with family inside and Raimundo was tied and beaten during the attack.
3.1.36	Antonio Vicente, Head-District Assistant for Viqueque	Viqueque	1-May-99	Viqueque	Front 59 militias	TORT	Attacked by Front 59 militias at his home.
3.1.37	Virgilio Xavier	Wailili village, Baucau	2-May-99	Wailili village, Baucau	Baucau KOPASSUS, Baucau KODIM	TORT	Shot in hands by KOPASSUS members.

Appendix B: Liquica Victims

Liquica Victims Key: * indicates confirmation by the ETHRC.

Extrajudicial killings - Liquica Parish

* 1 Jacinto da Costa Canigio Pereira, 47, village head Dato
* 2 Antonio Dos Santos, 24, Hatukesi village
* 3 Joao Baptista (Joni) Mausoko, 28, killed by Tome Maria Goncalves
4 Francisco (no surname), 30, Dato village
* 5 Rafael Maria, 18, Dato village
* 6 Herminio dos Santos, 35, Maumeta, killed by Antonio Kopas, TNI
* 7 Fernando da Costa S, 29, Dato village
* 8 Elidio Araujo dos Santos, 20, Hatukesi village, killed by Victor
9 Abel Babo, 26, Vatuvou village
* 10 Julito Maria, 18, Metabou
* 11 Manuel Lisboa, 40, Dato village
* 12 Floriano Santos, 30, Vatuboro village
* 13 Joanico de Sa Freitas, 35, Dato village
* 14 Francisco do Santos, Gugleur village
* 15 Jose Ribeiro, Gugleur village
16 Julio Venancio, 25, Vatuvou village
* 17 Agostinho dos Santos, 42, Darulete village
18 Manuel da Costa, 30, Dato village, Liquica
* 19 Gil Tiago dos Santos,17 years , student SMPK Liquica
* 20 Afonso (no surname), 35, Dato village
* 21 Cesar do Carmo Santos, SMA Student, 21, Guico village
* 22 Mauna (no surname), 40-50, Guico village, Maubara
* 23 Agusto dos Santos Mouzinho, 36, Leotala village
24 Paulino Boavida, 22, Vaviquinia village
25 Adios (no surname)
26 Victor da Costa, 30 years
* 27 Thomas dos Santos, 26, Liquica, died at Tokoh Baru public hospital
* 28 Tobias Ataide, 23, Dato village, parish volunteer
* 29 Oscar Dos Santos, public servant, 42
* 30 Tito Afonso Serrao, 29, Gugleur village
* 31 Andre (no surname)
* 32 Guilherme da Silva
* 33 Elias da Ataide

Extrajudicial killings - Liquica Parish (Cont.)

* 34 Narciso de Jesus Lopes
* 35 Bernardino dos Santos, Hatuquesi
* 36 Bere Ana, Guico village, Maubara

Attempted extrajudicial killings - Liquica Parish

* 1 Jose Mesquita, 25, Leopa village
2 Agostinho dos Santos, 37, Dato village
3 Joao Mautega, 23, Dato village
* 4 Joao dos Santos (Kuda), 34, Hatukesi village
* 5 Calistro de Jesus, Hatuquesi
* 6 Geraldo Soares, 31, village Maumeta
* 7 Mario Martins, 26, village Daruleten
* 8 Miguel dos Santos, 30, Loidahar village
* 9 Adao Sanches, 25, Vatuvou village
* 10 Manuel da Costa, 27, Vatuvou village
* 11 Jose Ramos, 22, Vatuvou village
* 12 Jose Nunes Soares, 35, Vaviquinia village
* 13 Francisco Zafreus, 27, Dili hamlet, Vatuvou village
* 14 Mateus Alves Correia, 35, Dato village
15 Juvito (no surname), 23, Dato village
* 16 Jaimito Serrao, 26, Vaviquinia village
* 17 Sergio Serrao, 21, Vatuvou village
18 Fernando Serrao, 23, Vatuvou village
* 19 Zeca Serrao, 22, Vatuvou village
* 20 Clara Nunes, 16, Vatuvou village
21 Maria Lurdes, 34, Dato village
22 Bento (no surname), 49, Dato village
23 Maubusa (no surname), Gugleur village
24 Alberto (no surname), Vatuboro village
* 25 Jaime do Santos, 25, Hatukesi village
26 Jose (no surname), Vaviquinia village
* 27 Ramiro dos Santos Ximenes, 70, Hatuquesi, Liquica

Attempted extrajudicial killings - Liquica Parish (Cont.)

* 28 Isabel (no surname), 35, Pukelara Dato
* 29 Januario Oliveira, Dato village
* 30 Paulino Boavida, 22, Vaviquinia village
* 31 Francisco dos Santos, severe machete head wound
* 32 Abrao dos Santos, Hatuquesi village
* 33 Ricardo R Pereira
* 34 Eduardo dos Santos
* 35 Afonso (no surname)
* 36 Julio (no surname)
* 37 Armando dos Santos
* 38 Alarico dos Santos
* 39 Antonio Alves Correia
* 40 Filomeno dos Santos Martins, 19, STM Fatumaca Student
* 41 Julio Serrao, 25, Vaviquina village

Extrajudicial killings - Dato village

1 Afonso (no surname), 26, Dato village
2 Cesar do Carmo Santos, 21, Guico village
3 Mautersa (no surname), 22, Vatuvou village
4 Julio, 25, Kukae Laran hamlet, Dato village, sub-district Liquica city
* 5 Laurindo da Costa Goncalves, 40, Head the Livestock Department
6 Feliz, 27, Dato village, Liquica City
7 Francisco, 25, village Vatuvou, sub-district Maubara
* 8 Paulino Ribeiro, 28, civil servant (High School I Liquica) Manumeta
9 Manuel Lisboa Flores, 27, Dato Village
* 10 Maubasa, Guico village

Attempted extrajudicial killings - Dato village

* 1 Americo (no surname), 28, Dato village
* 2 Bento Quintao, 24, Loidahar village
3 Felix de Carvalho, 26, Hatuquesi village
* 4 Laurindo dos Santos, 29, Maumeta village, tortured and seriously injured
* 5 Matias da Silva, 50, Dato village
* 6 Jose Cerilio dos Santos, 18, Hatuquesi village
* 7 Jacinto da Costa Freitas, tortured and hospitalized, Leopa, Dato village
* 8 Domingos Mendes, tortured and hospitalized
* 9 Jorge dos Santos, LisaLau, tortured and hospitalized
* 10 Joaquim Afonso Brites, shot in right foot
* 11 Felix Mendes, 27, Dato village
* 12 Felix Rodrigues, 32, Dato village
* 13 Joni da Costa
* 14 Augusto Oliveira
* 15 Manuel dos Santos

Liquica Disappearances

1 Ernesto (no surname), 28
2 Mario da Costa, 22, Dato village
3 Paulo Mendes, 27, Dato village
4 Francisco, 19, Dato village
5 Americo de Carvalho, Dato village

Appendix C: Property Destruction

Case	*Owner*	*Property Location*	*Date*	*Perpetrators*
3.3.1	Cancio Moraes	Vaviquinia village, Liquica	16-Jan-99	BTT 143
3.3.2	Jose dos Santos	Rainaba hamlet, Gugleur village, Maubara, Liquica	18-Jan-99	Mahidin
3.3.3	Jose Lino dos Reis	Guico village, Maubara, Liquica	27-Jan-99	Jorge Viegas (military), Antoninho Martins (KORAMIL 03), Teofilio da Silva (KORAMIL 03), Graciano (no surname)(Garda Paksi), Domingos dos Santos (Garda Paksi), Humberto (no surname) (Garda Paksi)
3.3.4	Liberato Beremau	Guico village, Maubara, Liquica	27-Jan-99	" "
3.3.5	David Mausaco	Guico village, Maubara, Liquica	27-Jan-99	" "
3.3.6	Felix da Costa	Vaviquinia village, Liquica	27-Jan-99	Silvino (no surname), Celestino Soares, Angelino Soares, Benditu Nunes, Paulino da Silva, Marculino (no surname), Julio Venancio, Manuel Lucio, and other Garda Paksi members
3.3.7	Vasco Alexandrino de Jesus	Vaviquinia village, Liquica	27-Jan-99	" "
3.3.8	Eusebio Sousa Silva	Maubara sub-district, Liquica	29-Jan-99	Garda Paksi members including: Marculino Soares, Eusebio Tilman, Simiao Soares, Jose da Silva, Jose Besivili, Adelino dos Santos
3.3.9	Agusto do Santos	Maubara sub-district, Liquica	29-Jan-99	" "
3.3.10	Leonel de Jesus Carvalho	Vila hamlet, Vaviquinia village, Liquica	30-Jan-99	Mauleki (no surname) and other Mahidin members
3.3.11	Anselmo do Santos	Vila hamlet	30-Jan-99	Mauleki (no surname) and other Mahidin members
3.3.12	Jose Benevides	Vila hamlet	30-Jan-99	Mauleki (no surname) and other Mahidin members
3.3.13	Sivino dos Santos	Vatuguili hamlet, Maubara Lisa village	1-Feb-99	Mahidin, Naga Merah, and Besi Merah Putih members
3.3.14	Agusto (no surname)	Darulara hamlet, Vaviquinia village	2-Feb-99	Mahidin
3.3.15	Flaviano TB Amaral	Manapa village, Samutabe hamlet, Cailaco, Bobonaro	5-Feb-99	Ermelindo Borges, Clementino Soares
3.3.16	Carlos Alberto	Vaviquinia village, Vila hamlet	5-Feb-99	Mahidin members
3.3.17	Valente Maia da Cruz	Gugleur village, Palistela	5-Feb-99	Mahidin and Naga Merah members
3.3.18	Luis (no surname)	Delesovati hamlet, Vavlquinia village, Liquica	5-Feb-99	Mahidin
3.3.19	Mautalo (no surname)	Delesovati hamlet, Vaviquinia village, Liquica	5-Feb-99	Mahidin
3.3.20	Jose (no surname)	Delesovati hamlet	5-Feb-99	Mahidin
3.3.21	Mariano (no surname)	Delesovati hamlet	5-Feb-99	Mahidin
3.3.22	Laurindo Afonso	Lebumeta hamlet, Vaviquinia village, L	5-Feb-99	Mahidin
3.3.23	Manuel Almeida	Samanro village, Vatubou, Liquica	5-Feb-99	Naga Merah
3.3.24	Rogerio Lai	Delesovati hamlet	7-Feb-99	Mahidin
3.3.25	Florentino da Silva Nunes	Morae hamlet, Viviquinia village	7-Feb-99	Mahidin

3.3.26	Domingos dos Santos	Nunuana hamlet, Viviquinia village	7-Feb-99	Mahidin
3.3.27	Fernando da Silva Luis	Maubaralisa village	7-Feb-99	Mahidin
3.3.28	Cesar (no surname), 28, Domingos (no surname), 35	Maubaralisa village	8-Feb-99	BMP, BTT 143 destruction of village offices
3.3.29	Narcisio da Silva, 30, farmer	Mauno Rt. 01 hamlet, Guico village	3-Mar-99	KORAMIL 03
3.3.30	Mau Gunda; Jorge Salus; Felisberto dos Santos; Jorge dos Santos; Salustiano Barros; Calistro dos Santos; Vicente dos Santos (Leko); Manuel Luis; Filomena Oliveira; Filomeno dos Santos; Agusto Pires; Florinda Abelar Borges; Jose Lakamali; Agostinho dos Santos; Domingos (no surname); Mateus dos Santos (Bazuca); Fernando da Silva; Jacinto Da Costa Conigio Pereira; Manuel dos Santos; Filomeno da Paixao; Gregorio N.M. dos Santos; Amadeus Dias dos Santos; Mateus Hulamuda; Fernando Da Costa.	Dato village, Liquica, see case 1.1.14 for details	5-6 April	Teofilo (no surname), member of TNI-AD, Koramil Maubara; Jacob da Conceicao, TNI-AD, Liquica Kodim; Tome Diogo, TNI, Liquica Kodim; Victor, Pukelara hamlet, Liquica, member of BMP; Francisco (no surname), member of Police, Pukelara hamlet; Pedro (no surname), Pukelara hamlet, member of BMP; Tomas Mau-Onas, member of BMP; Romaldo, Pukelara hamlet; Abril (no surname), Pukelara hamlet; Hendrik (no surname), SGI; Jorge Viegas, Koramil Maubara; Antonino Martins, Koramil Maubara; Jose Mateus, Koramil Maubara;
3.3.31	Anacleto Barreto	Maliana, Bobonaro District	12-Apr-99	Halilintar, Bobonaro Military District Command security forces
3.3.32	Lourenco Goncalves	Maliana	12-Apr-99	Halilintar, Bobonaro Military District Command security forces
3.3.33	Marcus de Jesus	Maliana	12-Apr-99	Halilintar, Bobonaro Military District Command security forces
3.3.34	Armindo Barreto	Maliana	12-Apr-99	Halilintar, Bobonaro Military District Command security forces
3.3.35	Manuel Magalhaes	Cailaco, Bobonaro District	13-Apr-99	Halilintar, Cailaco Security Forces
3.3.36	Joao Vicente	Cailaco	13-Apr-99	Halilintar, Cailaco Security Forces
3.3.37	Cipriano do Rego Amaral	Cailaco	13-Apr-99	Halilintar, Cailaco Security Forces
3.3.38	Anacleto (no surname)	Cailaco	13-Apr-99	Halilintar, Cailaco Security Forces
3.3.39	Joao Lopes	Cailaco	13-Apr-99	Halilintar, Cailaco Security Forces
3.3.40	Adriano Alfonso	Cailaco	13-Apr-99	Halilintar, Cailaco Security Forces
3.3.41	Guilherme Caeiro	Cailaco	13-Apr-99	Halilintar, Cailaco Security Forces
3.3.42	Joao Godinho	Cailaco	13-Apr-99	Halilintar, Cailaco Security Forces
3.3.43	Jose Andrade	Cailaco	13-Apr-99	Halilintar, Cailaco Security Forces
3.3.44	Bonifacio (no surname)	Cailaco	13-Apr-99	Halilintar, Cailaco Security Forces
3.3.45	Apolinario (no surname)	Cailaco	13-Apr-99	Halilintar, Cailaco Security Forces
3.3.46	Adao (no surname)	Cailaco	13-Apr-99	Halilintar, Cailaco Security Forces
3.3.47	Marten (no surname)	Cailaco	13-Apr-99	Halilintar, Cailaco Security Forces
3.3.48	Lucio Marques	Cailaco	13-Apr-99	Halilintar, Cailaco Security Forces
3.3.49	Duarte Monis	Cailaco	13-Apr-99	Halilintar, Cailaco Security Forces
3.3.50	Lorenco (no surname)	Cailaco	13-Apr-99	Halilintar, Cailaco Security Forces
3.3.51	Hermans das Dores	Dili	17-Apr-99	Aitarak

3.3.52	Leandru Issac	Dili	17-Apr-99	Aitarak
3.3.53	Antonio Lafu	Pasabe sub-district	19-Apr-99	Sakunar, security forces
3.3.54	Leovegildo Pui	Pasabe sub-district	19-Apr-99	Sakunar, security forces
3.3.55	Manuel da Conceição	Pasabe sub-district	19-Apr-99	Sakunar, security forces
3.3.56	Marcus Bobo Emanuel de Conceição	Pasabe sub-district	19-Apr-99	Sakunar, security forces
3.3.57	Jose Antonio Lafu	Pasabe sub-district	19-Apr-99	Sakunar, security forces
3.3.58	Jose Barros	Bandole Hamlet, Purugoa village, Bobonaro	20-Apr-99	Guntur, Halilintar
3.3.59	Cornelio da Silva	Maumela Hamlet, Atudara village, Cailaco, Bobonaro	20-Apr-99	Guntur, Halilintar
3.3.60	Cornelio (no surname)	Maubesi Ainaro District	21-Apr-99	Halilintar, armed forces
3.3.61	João Tabes	Ambeno District	21-Apr-99	Sakunar
3.3.62	Xaveria da Costa	Ambeno District	21-Apr-99	Sakunar
3.3.63	Antonio Bazilio	Bobonaro District, Cailaco	21-Apr-99	The following Halintar militia members: Paulo (no surname), Atabae; Adao Babo from Ermera; Flaviano Dasilelo from Meligo village, Cailaco
3.3.64	Armando Belaku	Bobonaro District, Cailaco	21-Apr-99	" "
3.3.65	Flabiano Tarabesi	Manapa village, Cailaco sub-district, Bobonaro district	21-Apr-99	" "
3.3.66	Raul (no surname)	Manapa village	21-Apr-99	" "
3.3.67	Roberto Dasimau	Manapa village	21-Apr-99	" "
3.3.68	Agustinho Calveliera	Manapa village	21-Apr-99	" "
3.3.69	Lourenco dos Santos Fatima	Manapa village	21-Apr-99	" "
3.3.70	Feliciano Soares	Manapa village	21-Apr-99	" "
3.3.71	Raimundo Amaral	Ossu District	24-Apr-99	BTT 131 Garuda Hitam
3.3.72	Manuel Tilman Fernandes	Hera village	22-Apr-99	Aitarak
3.3.73	Maria Filomena Camara	Hera village, Dili Leste	25-Apr-99	Aitarak, Mateus de Carvalho
3.3.74	Jose Antonio Ote	Lela-Ufe village, Pante Makasar Sub-district	Apr-99	Sakunar
3.3.75	Andre Lao	Lela-Ufe village	Apr-99	Sakunar
3.3.76	Vicente Lafu	Lela-Ufe village	Apr-99	Sakunar
3.3.77	Xisto de Sousa	Lela-Ufe village	Apr-99	Sakunar
3.3.78	Cipriano da Cunha	Lela-Ufe village	Apr-99	Sakunar
3.3.79	Paul Diaz, 55	Mota Ulun, Maubara	1-May-99	BMP
3.3.80	Octavia Gusmao Carmo, 28	Bemori village, Quintal Kiik	10-May-99	
3.3.81	Patrocinio Sequeira Alves; Manuel Reis; Jacob Fernandez	Quintal Bo'ot	10-May-99	
3.3.82	Joao Atilelo, Antonio Bertana; Fernando do Rego; Cisto Moniz and Manuel Oliveria	Atara village	16-May-99	see case 2.2.8